U.S. Department of Transportation

Federal Highway Administration

RECORD OF DECISION

Proposed Expansion of the Blue Water Bridge Port of Entry, Port Huron, Michigan
FHWA-MI-EIS-05-02-R

Decision

In accordance with the 23 U.S.C. 109(h), the Federal Highway Administration (FHWA) concurs with the Michigan Department of Transportation (MDOT) and our cooperating agencies in determining the Selected Alternative for the Blue Water Bridge Plaza Study, St. Clair County, Michigan. The Selected Alternative is the City West Alternative and it will:

- Increase the size of the U.S. Port of Entry plaza bringing most of the existing elevated plaza down to street level.
- Meet all plaza operational and traffic circulation needs through the year 2030.
- Relocate Pine Grove Avenue (M-25) to the west around the new plaza.
- Replace and expand the Black River Bridge, the Water Street interchange, and the Lapeer Connector interchange.
- Resurface and expand 2.5 miles of the existing I-94/I-69 freeway.
- Relocate the Michigan Welcome Center to vacant land north of I-94/I-69 approximately one mile west of its current location.

The Selected Alternative is identified as the environmentally preferred alternative that best:

- Meets the Purpose and Need for the transportation improvements;
- Meets design constraints; and
- Protects, preserves, and enhances historic, cultural, and natural resources.

FHWA has based its decision on the:

- Transportation needs of the project study area,
- Draft Environmental Impact Statement (DEIS),
- Final Environmental Impact Statement (FEIS) and Final Section 4(f) Evaluation,
- International and interagency coordination,
- Public comments received on the DEIS and FEIS, and
- Other information in the project record.

FHWA has reviewed and considered all comments received on the project during the 30-day review period after the Notice of Availability of the FEIS appeared in the Federal Register on March 31, 2009. Comments received on the FEIS are summarized and responded to in SECTION 7 of this Record of Decision.

5/12/09

Signature Date

James J. Steele

James Steele
Division Administrator,
Michigan Division
Federal Highway Administration

TABLE OF CONTENTS

1.0 BACKGROUND 1
1.1 Project History 1

2.0 DECISION 5
2.1 Selection of Alternative 5
2.2 Description of the Selected Alternative 6
2.2.1 Plaza 10
2.2.2 Improvements to the I-94/I-69 Corridor 12
2.2.3 New International Welcome Center 14
2.2.4 Local Road Improvements 14
2.2.5 Property Acquisition 16
2.3 Environmental Commitments (Mitigation and Enhancements) 18
2.3.1 Environmental Commitment Funding 18
2.3.2 Environmental Commitment Tracking 18

3.0 ALTERNATIVES CONSIDERED 19
3.1 Purpose and Need 19
3.2 Identification and Evaluation of Alternatives 20
3.2.1 Illustrative Alternatives 20
3.2.2 Alternatives Carried Forward- DEIS 20
3.3 Recommended Alternative 21
3.3.1 Rationale for Selection 21
3.3.2 Potential Reasonably Foreseeable Benefits and Impacts of the Selected Alternative 24
3.3.3 Consistency with Established Statewide Transportation Planning Goals 24
3.3.4 Environmentally Preferred Alternative 24
3.3.5 Cost Savings Considerations 24

4.0 FINAL SECTION 4(f) 26

5.0 MEASURES TO MINIMIZE HARM 27
5.1 Section 4(f) (Department of Transportation Act) 27
5.2 Section 7 (Endangered Species Act) 28
5.3 Section 106 (National Historic Preservation Act) 28
5.4 Air Quality Conformity (Clean Air Act) 28
5.5 Environmental Justice and Title VI (Civil Rights Act) 30
5.6 Permitting 30

6.0 MONITORING AND ENFORCEMENT 31
6.1 Environmental Commitments Defined 31
6.2 Enforcement of Environmental Commitments 31
6.3 Environmental Commitment Progress Reporting 32

7.0 COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT 33

8.0 CORRECTIONS TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT 54

APPENDICES

Memorandum of Agreement ..... Appendix A
Project Mitigation Summary Green Sheet ..... Appendix B

FIGURES

Figure 1 Existing Plaza Facilities 3
Figure 2 Blue Water Bridge Plaza Study Timeline 4
Figure 3 Location of the Blue Water Bridge Plaza Study 6
Figure 4 2030 Proposed I-94/I-69 Corridor and U.S. Port of Entry Improvements 8
Figure 5 Selected Alternative 9
Figure 6 Close-Up of Selected Alternative Plaza 10
Figure 7 Non-Intrusive Inspection 11
Figure 8 Entrances to the Plaza for vehicle heading to Canada 12
Figure 9 Landscape Concept of New International Welcome Center 14
Figure 10 Lapeer Connector Interchange 15
Figure 11 Selected Alternative Affected Parcels 17
Figure 12 Boat Form Boulevard Design 23

RECORD OF DECISION

Proposed Expansion of the Blue Water Bridge Port of Entry
Port Huron, Michigan

FHWA-MI-EIS-05-02-R

1.0 BACKGROUND

This Record of Decision (ROD) sets forth the basis for choosing the Selected Alternative for the Blue Water Bridge Plaza in St. Clair County, Michigan. The project will improve the United States Inspection Facility at the Blue Water Bridge Plaza and the I-94/I-69 corridor leading up to the plaza.

Federal Cooperating Agencies included:

- U.S. Customs and Border Protection (CBP)
- U.S. General Services Administration (GSA)
- U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (EPA)
- U.S. Coast Guard (USCG)
- U.S. Department of Agriculture (USDA)

1.1 Project History

The United States Plaza at the Blue Water Bridge was first expanded in the 1950s and a ramp was added over M-25 (Pine Grove Avenue) to connect with the Port Huron bypass (now I-94/I-69), which was under construction at the time. Prior to this expansion, the entire plaza was located between Pine Grove Avenue and 10th Avenue. In 1983, The Michigan Department of Transportation (MDOT) completed Draft and Final Environmental Impact Statements, which recommended improvements to the United States Plaza (see **Figure 1** Existing Plaza Facilities) and the construction of a second bridge over the St. Clair River. In 1991, the final link of I-69 was built, completing a second freeway connection (Toronto to Chicago) via the bridge. During the 1980's and early 1990's the plaza was expanded to include 13 primary inspection booths for inbound traffic from Canada. Five outbound toll lanes and the secondary inspection facilities that exist on the elevated plaza today were also added as a part of the expansion.

In 1992, an international task force studying the Blue Water Bridge crossing concluded that the existing bridge did not have enough capacity for all vehicles wanting to cross and needed long-term maintenance; therefore a new bridge should be constructed. An environmental document that served as a re-evaluation document for the 1983 FEIS and met the requirements of both the U.S. and Canadian environmental processes was completed in 1994. Construction on the second Blue Water Bridge span began in 1995 and it was opened to traffic in July 1997. Each

bridge has three lanes of traffic with the original bridge carrying traffic from Canada to the United States and the new bridge carrying traffic from the United States to Canada.

In 1999, MDOT completed a Toll and Plaza Operations Study to identify short-term operational improvements and to propose potential long-term plaza improvements. As a result of this study, several short-term operational improvements were made including the conversion of MDOT's maintenance facility to additional truck parking and the expansion of space for customs brokers.

In September 2002, MDOT began the current study as an Environmental Assessment (EA). The project's Notice of Intent (NOI) to prepare the Environmental Impact Statement (EIS) appeared in the *Federal Register* on January 27, 2005. A scoping meeting was held June 19, 2003 to describe the study to the state and federal review agencies (see **Figure 2**) and conduct a site tour of the plaza and surrounding area.

The Draft Environmental Impact Statement (DEIS) was signed August 10, 2007, and its Notice of Availability (NOA) was published in the Federal Register September 18, 2007. A public hearing was held on October 9, 2007 at McMorran Place in Port Huron, Michigan. The comment period provided was 120 days for the DEIS. This formal comment period was extended from 45 days to 120 days at the request of local stakeholders to allow all parties sufficient time to review the DEIS.

In developing the FEIS and identifying the Recommended Alternative, full consideration was given to public and agency comments on the DEIS, all alternatives considered and the respective environmental consequences, and issues related to the proposed action. The FEIS was signed March 20, 2009 and distributed. An NOA was published in the Federal Register April 3, 2009.

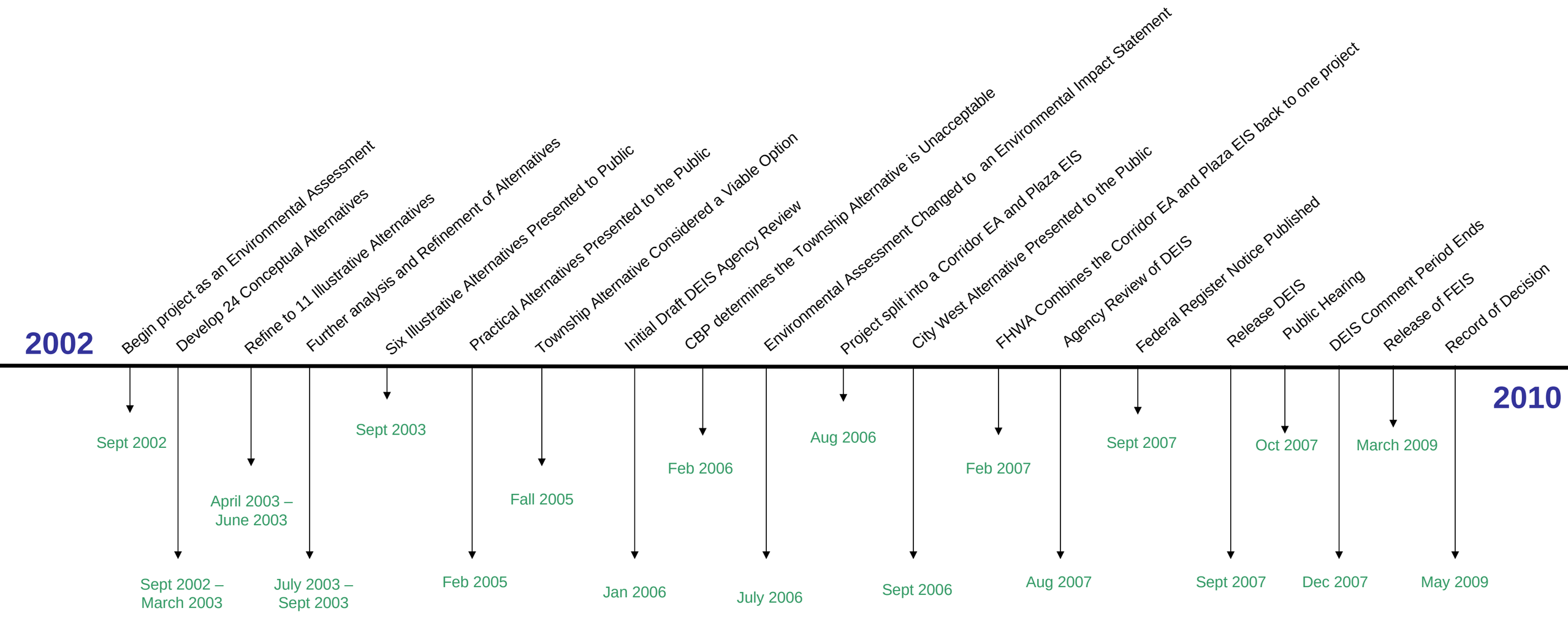
MDOT
Michigan Department of Transportation

Figure 1 Existing Plaza Facilities

Blue Water Bridge Plaza Study

Figure 2 Project Timeline 2002-2010

Blue Water Bridge Plaza Study



2.0 DECISION

The Selected Alternative for the Blue Water Bridge Plaza Study is the Recommended Alternative presented in the FEIS. The Selected Alternative is the revised City West Alternative. In the event of any differences in wording, the ROD takes precedence over the FEIS.

2.1 Selection of Alternative

The DEIS evaluated four alternatives including the No-Build Alternative and identified the City West Alternative as the Preferred Alternative. Since the publication of the DEIS the Preferred Alternative has been modified to incorporate other design elements and improvements to the plaza and I-94/I-69 corridor.

The FEIS describes the Purpose and Need (Chapter 1), Alternatives Considered (Chapter 2), the Environment (Chapter 3), Section 4(f) and 6(f) Evaluation (Chapter 4), Mitigation and Project Enhancements (Chapter 5), Public and Agency Coordination (Chapter 6), and Comments and Responses on the DEIS (Chapter 7).

Since the publication of the FEIS, the Section 106 Memorandum of Agreement (MOA) was finalized and signed (**Appendix A** of this **ROD**).

Public Hearing, October 9, 2007

The Federal Highway Administration (FHWA) and MDOT provided opportunities for United States government agencies and public involvement in the development of the National Environmental Policy Act (NEPA) documentation. The opportunities and methods used to involve public and government agencies in the study can be found in **Chapter 6** of the **FEIS**. The staffing of a local project office, a 1-800 hotline, website, outreach meetings, and other means were used to solicit input. Cooperating Agency input was also sought at key milestones. Both the DEIS and FEIS have been made available for public review. A public hearing was held for the DEIS (October 9, 2007). Comments received on the DEIS have been addressed in the FEIS. Comments received on the FEIS are summarized and responded to in **Section 7** of this Record of Decision.

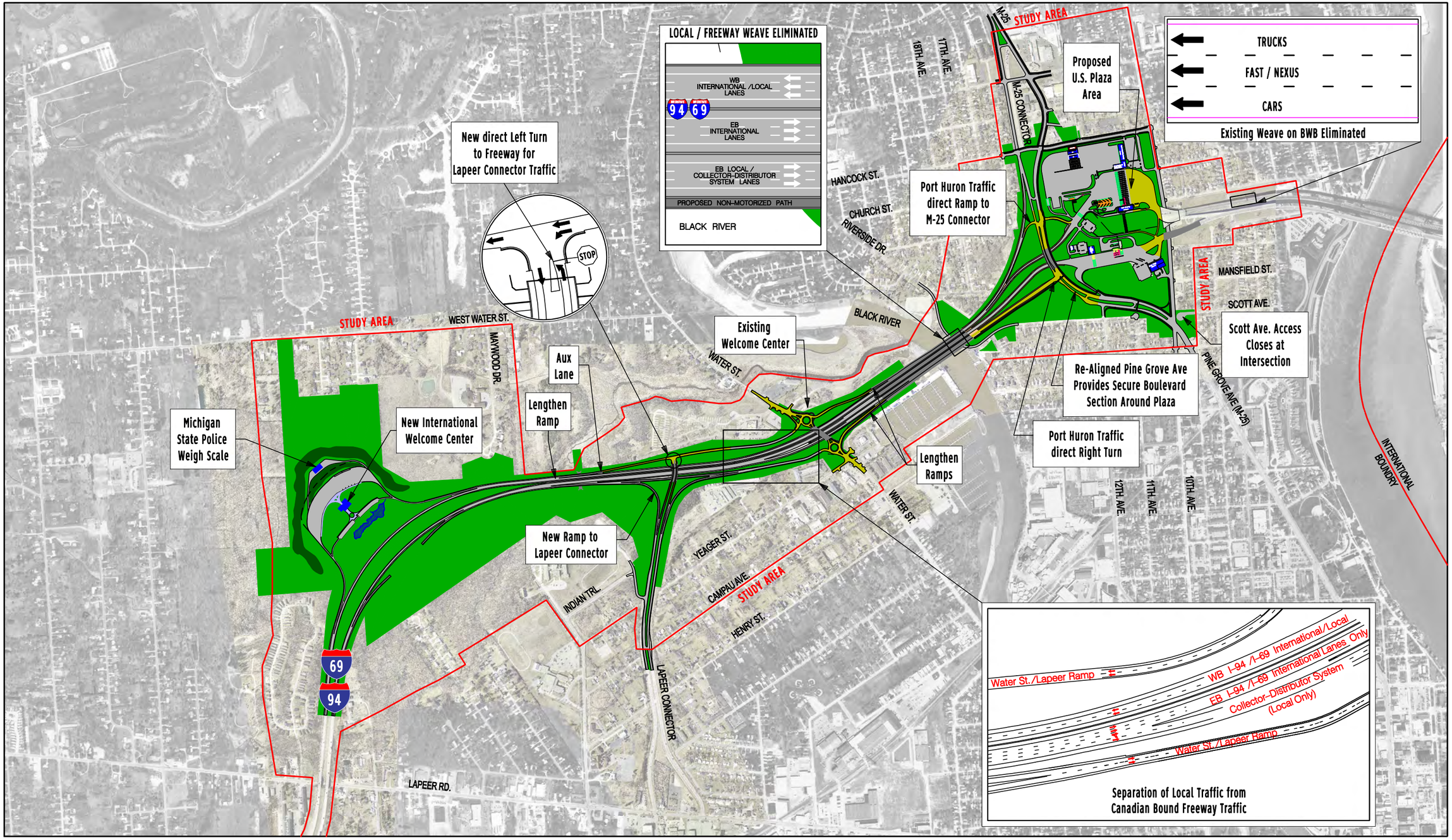
2.2 Description of the Selected Alternative

The Blue Water Bridge Plaza Study Area is located in St. Clair County in Southeastern Michigan (see **Figure 3**). The Study Area is located in the city of Port Huron and Port Huron Township and begins at the western end of the Blue Water Bridge and ends at the I-94/I-69 interchange, approximately 2.2 miles to the west. The city of Port Huron is essentially a peninsula bound to the south by the Black River and to the east by the St. Clair River, with a portion of the city located south of the Black River. There are limited locations to cross the river, which results in locals using the I-94/I-69 freeway to get between Water Street, Lapeer Road, and areas north of the Black River.

Figure 3 Location of the Blue Water Bridge Plaza Study

The Selected Alternative proposes to expand the U.S. Port of Entry and improve 2.5 miles of the I-94/I-69 corridor west of the plaza. The proposed expanded plaza area is bordered by Hancock Street on the north, 10th Avenue to the east, and relocated Pine Grove Avenue to the south and west. Improvements to the I-94/I-69 corridor include the replacement and widening of the Black River Bridge to nine lanes to accommodate the separation of local and international traffic, reconstruction of the Water Street interchange, reconfiguring the Lapeer Connector interchange to provide full access, and the relocation of the International Welcome Center. The Selected Alternative brings the existing elevated plaza (elevated 22') down to grade which requires the relocation of Pine Grove Avenue to the south and west of the plaza. See **Figure 4**.

This alternative meets all plaza operational and traffic circulation needs through the year 2030. The permanent plaza area, Customs and Border Protection (CBP) and MDOT operations occupied space, of the Selected Alternative has been reduced in size since the release of the DEIS from 65 acres to 56 acres. (CBP) space has been reduced from 57 acres to 46 acres. **Figure 5** of this **ROD** (**Figure 2.3.1** of the **FEIS**) shows the Selected Alternative. A full description of the Selected Alternative can be found in **Section 2.3.2** of the **FEIS**.



2030 Proposed I-94/I-69 Corridor and U.S. Port of Entry Improvements

MDOT Michigan Department of Transportation

SCALE
0 500 1000 1500 2000 2500 (IN FEET)
0 1/4 1/2 (IN MILES)

N W E S

Figure 4 2030 Proposed I-94/I-69 Corridor and US Port of Entry Improvements

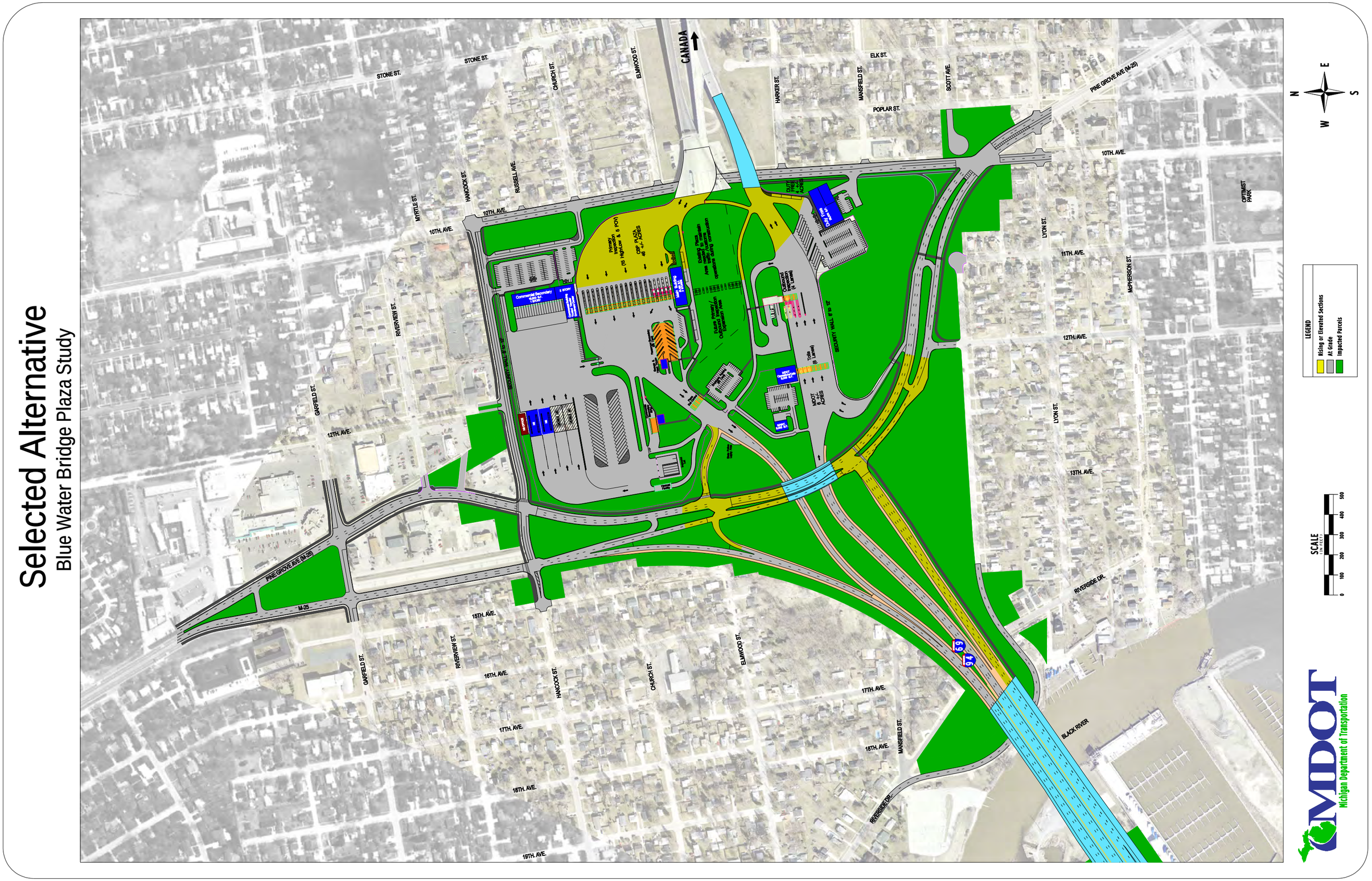


Figure 5 Selected Alternative

2.2.1 Plaza

As illustrated in **Figure 6,** the Selected Alternative requires commercial vehicles crossing the Blue Water Bridge to remain in the right lane and passenger vehicles in the left lanes. Traffic entering the United States from Canada will come off the Blue Water Bridge and come down to street level after crossing over 10th Avenue. By the time cars and trucks reach the primary inspection booths on the plaza they are nearly at street level.

The Selected Alternative provides 20 primary inspection booths for cars and trucks arriving from Canada, 15 of these booths will be able to accommodate both cars and trucks. Primary inspection booths for cars will be located to the left and primary inspection for trucks will be located to the right. Before cars and trucks reach the inspection booths, they pass through radiation detection portals, to ensure they are not bringing radioactive material into the United States**.** Freeway exits from the plaza would be similar to those for the existing plaza; however, vehicles exiting the plaza would have to show proof before they are cleared to leave the plaza at an additional exit control booth.

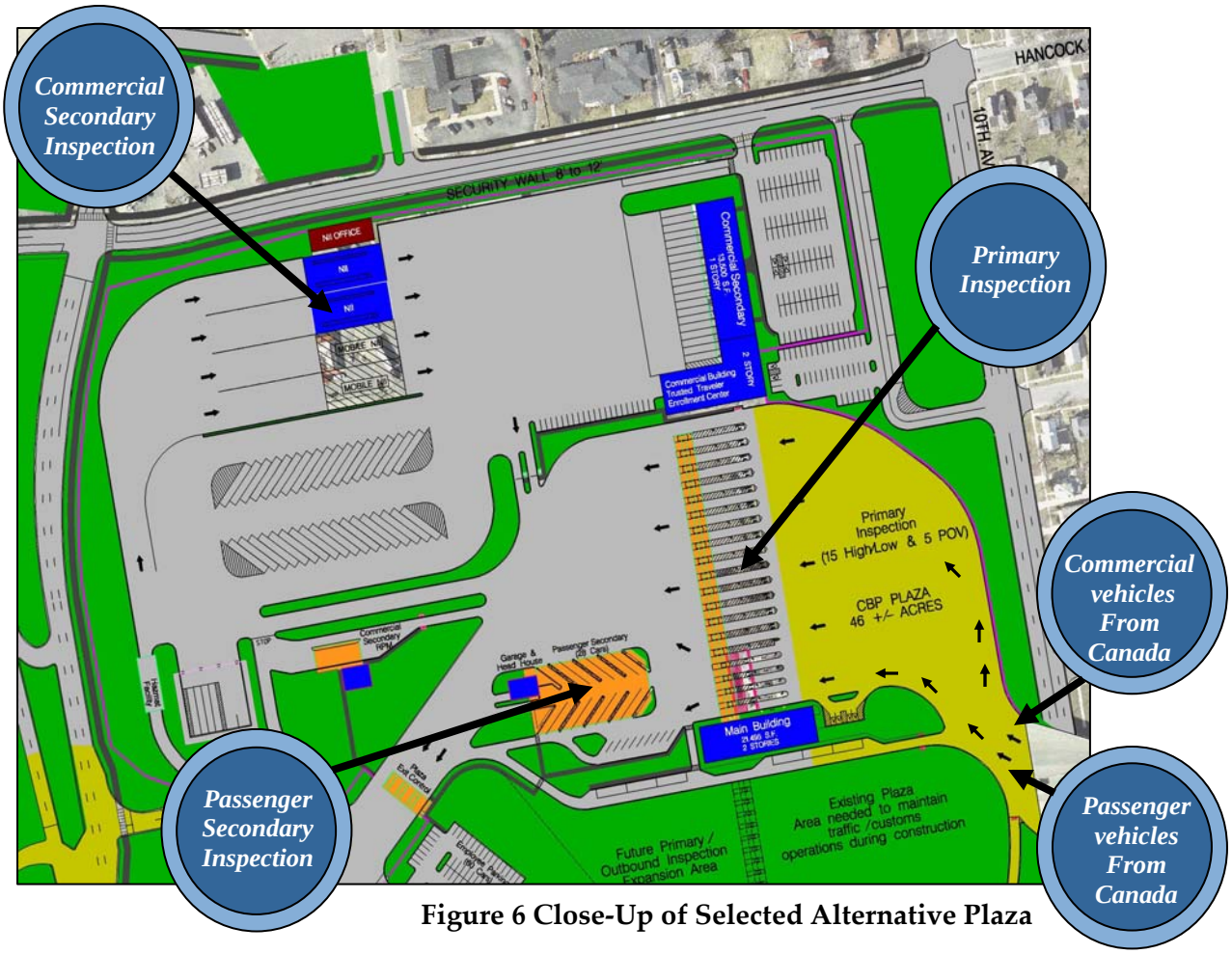
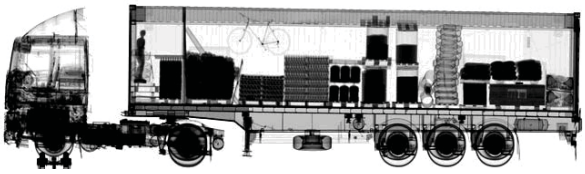


Figure 6 Close-Up of Selected Alternative Plaza

The commercial secondary inspection area contains 36 truck parking spaces, 20 docks for unloading trucks, and 35,600 square feet of office and truck unloading space. The truck inspection area will include a special dock for livestock inspection that allows inspection officers to walk around the trailer on an elevated platform to view the inside of a livestock trailer. No unloading of animals would occur on the plaza. Up to four Non-Intrusive Inspection (NII) units will be utilized within the commercial secondary inspection area, allowing CBP officers to electronically scan the contents of vehicles.

Figure 7 Non-Intrusive Inspection

Non-Intrusive Inspection (NII) imaging systems use x-rays or gamma rays to penetrate containers and produce an image of the contents.



Non-Intrusive Inspection System Image (x-ray)
www.cbp.gov

The secondary inspection area for passenger vehicles includes space to inspect 28 cars and includes a head house building. This building would contain enclosed inspection garages and additional space for CBP officers to conduct border processing paperwork. There is also a parking area for cars that require further inspection.

Cars and trucks traveling to Canada will have two entrances to the plaza (**Figure 8**). The first one is located off of I-94/I-69 and the second is a ramp from the relocated Pine Grove Avenue. Facilities will be provided on the new plaza to allow CBP to inspect cars and trucks leaving the United States.

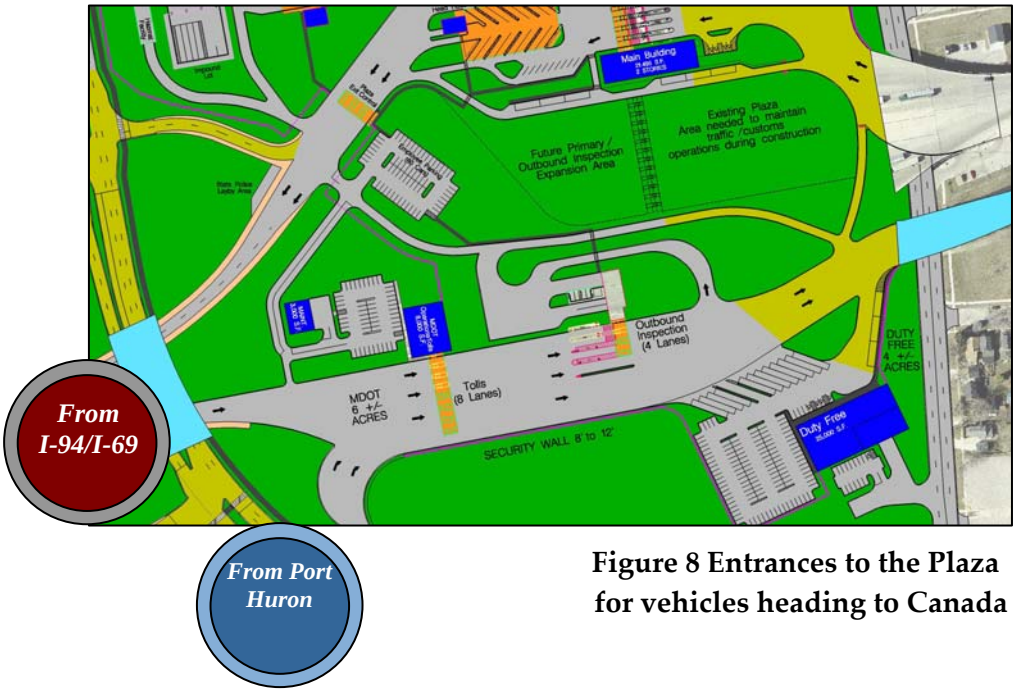


Figure 8 Entrances to the Plaza for vehicles heading to Canada

This area is called outbound inspection. Eight toll lanes will precede the outbound inspection facilities. Following the toll lanes, cars and trucks pass through the outbound inspection facilities which include four booths, two docks for unloading trucks, and adequate truck and car parking spaces. A new Duty Free store and parking would occupy approximately four acres and could only be accessed by drivers who have already cleared outbound inspection and the toll booths. Following the Duty Free store, all vehicles would take the bridge to Canada.

2.2.2 Improvements to the I-94/I-69 Corridor

The Selected Alternative includes replacement and expansion of the Black River Bridge, the Water Street interchange, and the Lapeer Connector interchange (**Figure 4**). It also includes additional lanes on I-94/I-69, separation of eastbound border crossing traffic from local traffic, and a new International Welcome Center in Port Huron Township.

The Selected Alternative includes an expansion and replacement of the I-94/I-69 bridge over the Black River. The new bridge will be approximately 200-feet wide and will consist of 12 spans. The new bridge will have nine travel lanes, three lanes for eastbound local traffic, three lanes for eastbound international traffic heading to Canada, and three lanes for combined border crossing and local westbound traffic. The designated lanes for eastbound border crossing traffic will be barrier separated from local traffic lanes.

The new bridge will include 12-foot shoulders for emergency access/vehicle storage which is an upgrade to the two-foot shoulders on the existing bridge. The bridge will also have a 14-foot

dual-direction, non-motorized path. This path will be located on the south side of the bridge and will connect existing non-motorized facilities within the city of Port Huron and Port Huron Township.

The eastbound border crossing lanes will include one lane for cars, one lane for trucks, and one lane for vehicles enrolled in the FAST (trucks) and NEXUS (cars) programs. The eastbound local traffic lanes (I-94/I-69 collector-distributor) will include three lanes connecting to relocated Pine Grove Avenue. At the intersection of the local lanes and relocated Pine Grove Avenue, traffic may turn left for northern destinations such as Fort Gratiot and northern St. Clair County, or right to access downtown Port Huron.

The Selected Alternative includes resurfacing and expansion of 2.5 miles of existing I-94/I-69. Much of the expansion includes the I-94/I-69 collector-distributor between the ramps to the existing plaza and the Lapeer Connector.

The Selected Alternative includes the replacement of the existing interchange at Water Street including the bridge over I-94/I-69. The replacement bridge will be two-lanes wide, with one travel lane in each direction. Roundabouts are proposed for each end of the bridge at the freeway ramp intersections. The bridge will also accommodate pedestrian traffic by including one sidewalk on the east side of the bridge which will be ten-feet wide.

The Selected Alternative will improve access for local traffic to the Lapeer Connector. Currently, only traffic headed to I-94/I-69 east or from I-94/I-69 west can use the Lapeer Connector. The Selected Alternative provides access from all directions of I-94/I-69. Eastbound I-94/I-69 will have direct ramp access from the freeway to the Lapeer Connector. The other freeway access movements will all use I-94/I-69 collector-distributor.

A collector distributer road will be constructed along westbound I-94/I-69 that will connect with the westbound intersection at the Water Street interchange. The collector distributer road will include an intersection at the Lapeer Connector that will allow westbound traffic to turn onto the Lapeer Connector and head south. Northbound traffic on the Lapeer Connector will be able to turn left at this intersection and proceed onto westbound I-94/I-69. Traffic from westbound I-94/I-69 wanting to travel south on the Lapeer Connector will exit at Water Street, travel through the Water Street interchange and then onto the collector distributer road. The collector distributer road also would serve as the ramp from Water Street to westbound I-94/I-69 as well.

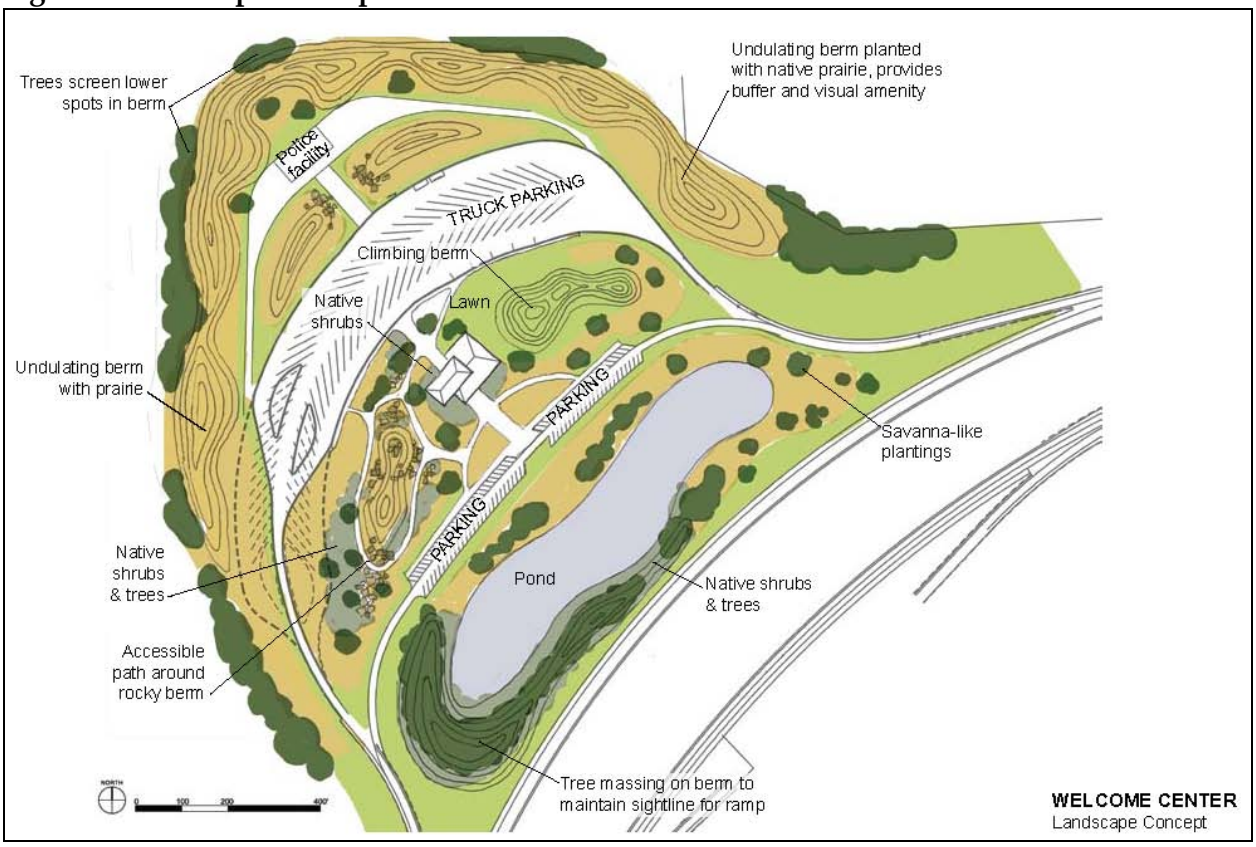
The new Lapeer Connector configuration will require the entrance from Indian Drive onto the Lapeer Connector to be shifted approximately 300 feet south to meet current MDOT safety standards.

2.2.3 New International Welcome Center

The new International Welcome Center property (**Figure 9**) will encompass approximately 54 acres and will consist of a modern building per MDOT's current design standards for welcome centers, along with parking for up to 100 cars and 50 trucks.

Space for a Michigan State Police (MSP) Motor Carrier Inspection facility will be provided north of the truck parking area. This facility will be used by MSP to assist in the enforcement of State of Michigan and Federal Motor Carrier regulations. The facility will include a weigh scale and a small inspection building.

Figure 9 Landscape Concept of New International Welcome Center



2.2.4 Local Road Improvements

The Selected Alternative will include several improvements to local roads surrounding the plaza. The intersection at 10th Avenue and Pine Grove Avenue will be reconstructed for the new Pine Grove Avenue. Scott Avenue will no longer connect to this intersection, ending in a cul-de-sac. North of the plaza, Hancock Street will be realigned to connect with the relocated Pine Grove Avenue and will be widened to three lanes between 10th Avenue and relocated Pine Grove Avenue.

Existing Pine Grove Avenue between 10th Avenue and Hancock Street will be closed. The new relocated Pine Grove Avenue will be a boulevard from 10th Avenue northbound. The proposed relocation of Pine Grove Avenue will have the following features:

- North of the plaza, Hancock Street will be realigned to connect with the relocated Pine Grove Avenue and will be widened to three lanes between 10th Avenue and relocated Pine Grove Avenue

- A ramp from northbound Pine Grove Avenue to the new plaza

- A signalized intersection at the ramp for local traffic from I-94/I-69 to Pine Grove Avenue

- A bridge over the ramps from I-94/I-69 to the plaza

- A signalized intersection at the ramp from the new plaza to Pine Grove Avenue to provide access in all directions and access from Pine Grove Avenue to westbound I-94/I-69

- A new signalized intersection at Hancock Street and new northbound lanes of relocated Pine Grove Avenue north of the plaza

- Full access from all directions of I-94/I-69 will improve access for local traffic to the Lapeer connector (**Figure 10**)

Figure 10 Lapeer Connector Interchange

2.2.5 Property Acquisition

Relocations include 125 residential dwelling units, 30 businesses, and one church as illustrated in **Figure 11**. A Conceptual Relocation Plan is located in **Appendix C** of the **FEIS** and relocations are discussed in **Chapter 3, Section 3.7** of the **FEIS**.

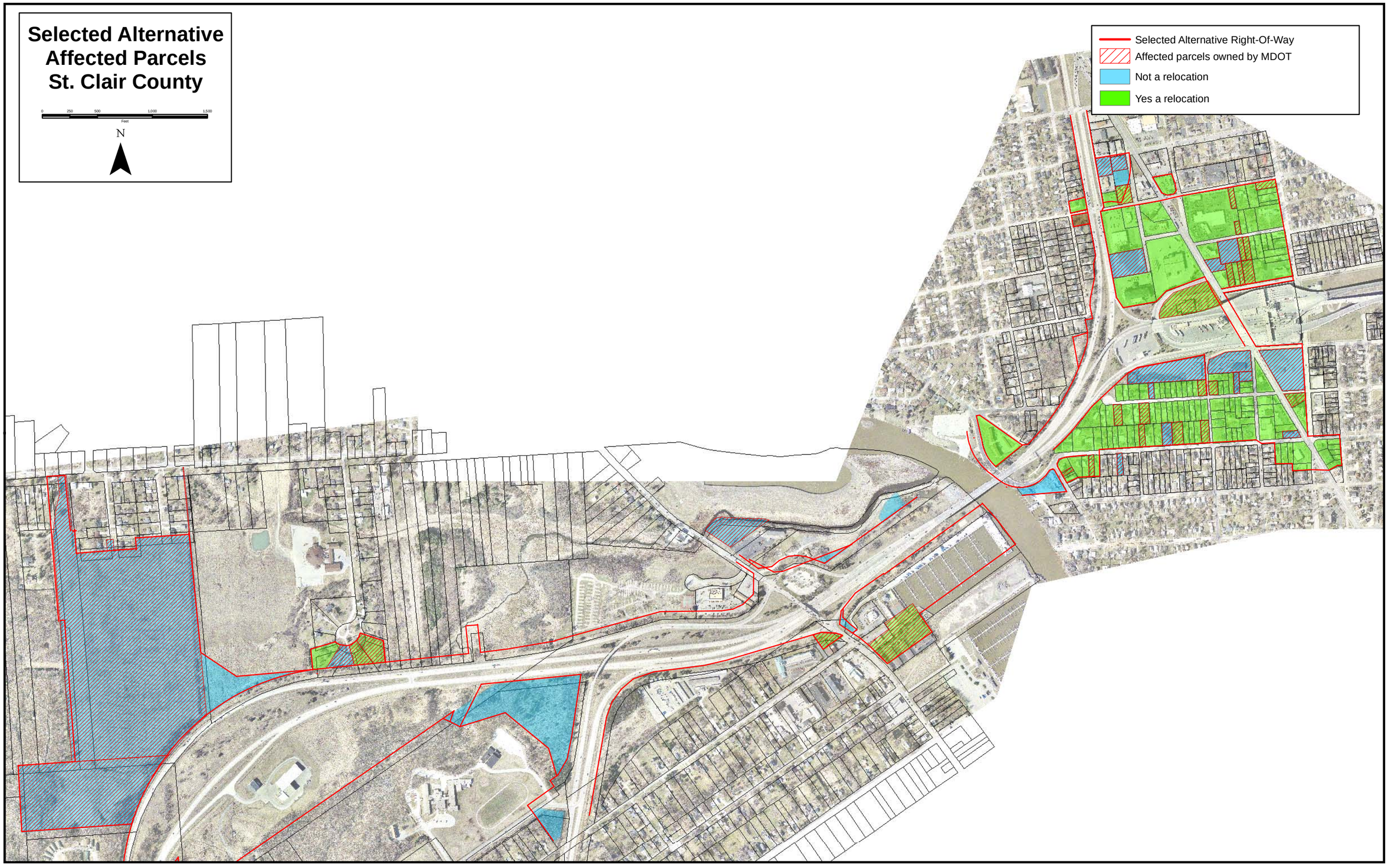


Figure 11 Selected Alternative Affected Parcels

2.3 Environmental Commitments (Mitigation and Enhancements)

The Federal Highway Administration, in approving this ROD, directs the implementation of the project and environmental commitments. Environmental commitments are those mitigation and enhancement measures listed on the "Green Sheet: Project Mitigation Summary" contained in **Appendix B** of this ROD. FHWA will support efforts, in coordination with MDOT and applicable resource agencies, to ensure timely implementation of these measures. As the project progresses through design and construction, efforts will continue to minimize harm and reduce project impacts. When possible, without reducing the performance of the Selected Alternative or increasing impacts to the sensitive resources, resource agencies and the public will be consulted to determine if mitigation should be modified.

2.3.1 Environmental Commitment Funding

Mitigation measures implemented pursuant to this ROD (including land acquisition) are eligible for federal funding and subject to prior approval by FHWA. Enhancement measures will be federally funded if eligible, and state funded if not.

2.3.2 Environmental Commitment Tracking

Environmental impacts and environmental commitments to address these impacts will be tracked and reported to the public, appropriate resource agencies, and local stakeholders.

3.0 ALTERNATIVES CONSIDERED

3.1 Purpose and Need

The purpose of the Blue Water Bridge Plaza Study for the foreseeable future is to:

- Provide safe, efficient and secure movement of people and goods across the Canadian-U.S. border in the Port Huron area to support the economies of Michigan and Ontario, the United States and Canada.

- Support the mobility and security needs associated with national and civil defense.

The following provide an overview of the needs for the project:

- Improve operations and processing capability by accommodating the latest inspection technologies and procedures

- Provide flexibility to accommodate future inspection technologies and procedures

- Improve security

- Provide facilities that ensure cars and trucks do not leave the plaza without being inspected

- Improve safety on the bridge, plaza and the I-94/I-69 corridor, including the elimination of the traffic weaves

- Accommodate projected 2030 traffic growth and future facility needs

- Minimize backups on Highway 402 in Canada and I-94/I-69 in the United States

- Reduce vehicle and pedestrian conflicts on the plaza

- Improve access to the plaza and to the local road network

- Minimize routing of commercial traffic to local roads during maintenance operations

- Create a more visible and accessible welcome center

- Improve infrastructure conditions along the I-94/I-69 corridor including the aging Black River Bridge

3.2 Identification and Evaluation of Alternatives

Many alternatives were considered for improvements to both the United States Plaza at the Blue Water Bridge and the I-94/I-69 corridor as shown in the timeline, **Figure 2**.

3.2.1 Illustrative Alternatives

The Illustrative Alternatives development process included two phases. In the first phase, a wide variety of concepts and ideas for plaza improvements were explored. Some of these concepts were fully developed into alternative plans. Others were discarded once it became apparent they would not meet the objectives of the project. Nineteen concepts were evaluated during this phase of alternatives development.

The original 19 alternatives were narrowed down to six Illustrative Alternatives (A through F), as well as a No-Build Alternative. After evaluating the potential impacts further and coordinating with stakeholders, these six Illustrative Alternatives were reduced to four Updated Alternatives. These Updated Alternatives were modified versions of the most feasible Illustrative Alternatives. The modifications were based on the objectives of the study, environmental concerns, traffic analyses, and both local stakeholder and public input.

3.2.2 Alternatives Carried Forward – DEIS

Four alternatives including the No-Build were analyzed and discussed in the DEIS. The DEIS identified the City West Alternative as the Preferred Alternative. A brief description of the four alternatives carried forward is provided below.

- The No-Build Alternative, which involves no expansion of the existing plaza or the I-94/I-69 corridor.

- The City East Alternative, which expands the plaza in the city of Port Huron and relocates Pine Grove Avenue to the east and makes improvements along the I-94/I-69 corridor.

- The City West Alternative, which expands the plaza in the city of Port Huron and relocates Pine Grove Avenue to the west and makes improvements along the I-94/I-69 corridor.

- The Township Alternative, which relocates most plaza functions to a plaza in Port Huron Township and makes improvements along the I-94/I-69 corridor.

The alternatives carried forward were selected based on their ability to best address the reasons for improving the plaza/corridor when compared with other potential alternatives. Comments

received on both the DEIS and the Preferred Alternative indicated that the size of the proposed plaza was a concern for many in the local community. As a result, the plaza requirements and the overall size were re-analyzed by FHWA, MDOT, CBP, and GSA which resulted in the Recommended Alternative.

3.3 Recommended Alternative

The DEIS identified the City West Alternative as the Preferred Alternative. A modified Preferred Alternative was presented in the **FEIS** as the Recommended Alternative.

3.3.1 Rationale for Selection

Safety & Security

The Selected Alternative meets all safety and security requirements of an international border crossing.

- Eliminates a major roadway running beneath (Pine Grove Avenue) the CBP inspection area.

- All major roadways are located downstream of the primary and secondary inspection points on the plaza, enhancing the security of the facility and reducing the vulnerabilities of the plaza to a terrorist incident that could shut the border crossing down for a long period of time.

- The plaza layout minimizes the potential of cars and trucks from exiting the plaza without being inspected.

- The plaza layout provides for separate and secure defined work spaces for CBP officers that allow them to most efficiently complete their mission.

Accommodates CBP Technologies

The plaza includes sufficient space required by CBP.

- Features a facility layout that is preferred by CBP and GSA based on the U.S. Port of Entry Program of Requirements (POR) discussed in **Chapter 1** of the *FEIS*.

- Provides CBP flexibility to implement both current and future procedures and technologies.

Improved Flow of Traffic

The Selected Alternative best improves current and future traffic issues on the plaza, freeway and local roads surrounding the plaza.

- Eliminates the existing weave on the westbound Blue Water Bridge by keeping trucks on the right.
- The estimated delay at the plaza will be reduced from an existing average of 26 minutes entering the U.S., to a projected three minutes average delay under the Selected Alternative.
- Provides a I-94/I-69 separation of traffic between Canadian bound traffic and local bound traffic west of the Water Street interchange and eliminates the Black River Bridge weave.
- Improves upon the current geometric and operational deficiencies at the Pine Grove Avenue and 10th Avenue intersection by modifying the 10th Avenue intersection from a six-leg intersection to a four-leg intersection. As a result, the number of potential vehicle conflict points will be dramatically decreased.
- Reduces future congestion at the Hancock Street and M-25 Connector (future Pine Grove Avenue) intersection.

Local Access Enhancements

Provides local access enhancements to and from the plaza and to and from the freeway.

- Provides enhanced access to the plaza from Pine Grove Avenue and to Pine Grove Avenue from the plaza, to local destinations north and south of the plaza.
- Provides direct access to the city of Port Huron through the new Pine Grove Avenue/M-25 Connector interchange. This is a substantial improvement over the indirect access provided by the No-Build Alternative.
- Provides better north-south local access around the new plaza than other alternatives. 10th Avenue would continue to provide north-south access on the east and the relocated Pine Grove Avenue would provide north-south access to the west.
- Provides a new reconstructed Water Street interchange.
- Provides a reconfigured Lapeer Connector interchange to provide full access.
- Relocates the International Welcome Center to a more visible and accessible location along the freeway.

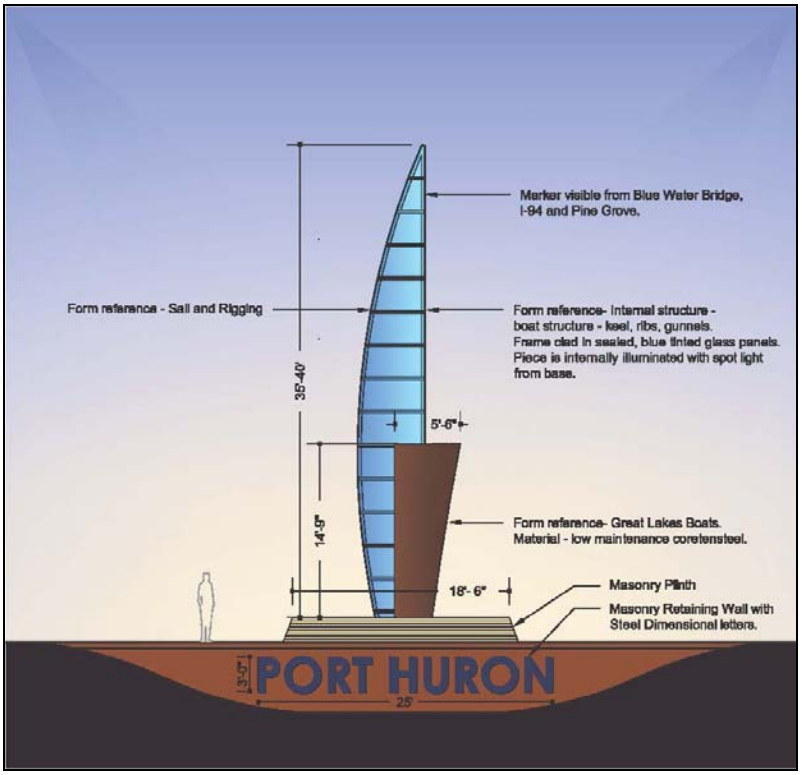
Emergency Response

Emergency responders will still have two choices for north-south access around the plaza. Emergency responders can utilize either 10th Avenue or the relocated Pine Grove Avenue as a north-south alternate route if one or the other became blocked by a traffic accident or other incident. Emergency access to the plaza would be through gated access from local streets which is enhanced by being at street level. Access to the westbound I-94/I-69 freeway is improved with the full access Lapeer Connector interchange which enables better response times to incidents west of the Lapeer Connector.

Gateway Effect

The Selected Alternative would provide a superior visual entrance to the city of Port Huron and the Port Huron area when compared to the No-Build Alternative and other alternatives. The Pine Grove Avenue boulevard design (see **Figure 12**) with direct access to either northbound or southbound Pine Grove Avenue will increase both visibility and access to the city of Port Huron. Opportunities to incorporate enhanced landscaping and signage are much greater under this alternative compared to other alternatives evaluated.

Figure 12 Boat Form Boulevard Design



3.3.2 Potential Reasonably Foreseeable Impacts and Benefits of the Selected Alternative

The impacts of the Selected Alternative are those of the Recommended Alternative that are presented in the **Summary of Impacts** matrix in the **FEIS Executive Summary.** The Selected Alternative will provide many benefits within the Port Huron Study Area. It will improve local traffic circulation surrounding the plaza, improve overall access to the Port Huron community including downtown Port Huron, improve safety on the freeway leading up to the plaza by separating the Canadian bound traffic from the local traffic, and make improvements to the Water Street and Lapeer Connector interchanges. A local wayfinding program will be implemented which will be designed to increase access and awareness of key local tourism destinations. Several enhancements into the design of the Selected Alternative will improve non-motorized access and circulation between the city of Port Huron and Port Huron Township, and connectivity with other existing non-motorized systems.

Other benefits include the development of an Economic Development Plan and an Aesthetic Design Guide (ADG). The Economic Development Plan is a strategic plan that would build upon existing strategic advantages, international trade opportunities, and the community's extensive transportation assets that can contribute to a stronger, more vibrant economy for the future. The ADG will define an overall theme as well as specific community characteristics that can be incorporated in the corridor and plaza architectural elements to assure these infrastructure improvements reflect and blend into the Blue Water Community.

3.3.3 Consistency with Established Statewide Transportation Planning Goals

The project is consistent with MDOT's Long Range Plan and is listed on MDOT's 2009-2013 Five Year Transportation Plan. The project is consistent with local planning goals and is included in the metropolitan planning organization (SEMCOG) Transportation Improvement Program.

3.3.4 Environmentally Preferred Alternative

The Selected Alternative is considered the environmentally preferred alternative because it incorporates the best features of the Practical Alternatives considered in the DEIS with the least harmful impact to the natural and social environments. These features relate to reducing:

- Relocations,
- Emergency responder impacts,
- Plaza safety and security concerns,
- Access issues to the city of Port Huron from the Blue Water Bridge Plaza.

3.3.5 Cost Savings Considerations

A Cost Estimate Review was conducted March 16-20, 2009, involving specialists from FHWA, MDOT and MDOT's Consultants. During this review, the Recommended Alternative cost

estimate was based on the engineering level developed during the environmental process. Cost savings (opportunities) and increases (risks) were thoroughly reviewed in establishing the project cost estimates. This estimate includes a 15% contingency to cover unknown elements that may during design. This cost estimate is based on 2008 average unit prices tracked by MDOT. At the 70 percent confidence level, cost estimates for the Selected Alternative are calculated to be $584 million.

4.0 FINAL SECTION 4(f)

As previously indicated in the FEIS (**FEIS Chapter 4, Section 4(f) Evaluation**), FHWA finds, in accordance with 23 CFR 774, that:

- The preliminary FEIS findings made in accordance with 23 CFR 774.3 9(a) for the overall Blue Water Bridge Plaza Study remain valid; and

- Because there is no prudent and feasible alternative to the use of Section 4(f) resources, in accordance with 23 CFR 774.3(c), the Recommended Alternative (now the Selected Alternative in this ROD) (1) causes the least overall harm in light of the preservation purpose of *Section 4(f) of the Department of Transportation Act of 1966*; and (2) the Recommended Alternative (now the Selected Alternative in this ROD) includes all possible planning as defined in 23 CFR 774.17, to minimize harm to Section 4(f) property.

The Memorandum of Agreement (MOA) in **Appendix A** of this **ROD** also provides for the unlikely discovery of any archaeological sites eligible for the National Register of Historic Places (NRHP) during construction.

5.0 MEASURES TO MINIMIZE HARM

All practicable measures to minimize environmental harm have been incorporated into the decision. Major regulatory requirements applicable to this project include the following:

- Evaluation of the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites under Section 4(f) of the Department of Transportation Act;

- Consultation regarding threatened and endangered species under Section 7 of the Endangered Species Act;

- Consultation regarding historic and archaeological resources under Section 106 of the National Historic Preservation Act;

- Certification of conformity under the Clean Air Act;

- Compliance with Environmental Justice Guidelines and *Title VI of the Civil Rights Act of 1964* in identifying impacts to minority and low income population groups in the Study Area;

- Permitting activities.

Actions committed to or taken to comply with these requirements are summarized below. The Project Mitigation Summary "Green Sheet", which identifies proposed mitigation, is included as **Appendix B** of this document. A list of community enhancements over and above the required mitigation measures was developed in cooperation with the local community. This list of enhancements is included in the Green Sheet. Measures to minimize harm are outlined below.

5.1 Section 4(f) (Department of Transportation Act)

The criteria of 23 CFR 774 have been met for the Blue Water Bridge Plaza Study and the FHWA has determined the Blue Water Bridge Plaza project will use identified resources protected under this regulation.

- Public Parks and Recreational Areas - Some minor property acquisition (0.34 acre) is required from Township Park No. 1 for the construction of the freeway and interchange at Water Street under the Selected Alternative. FHWA has determined that the potential impacts to Port Huron Township Park No. 1 are *de minimis*. The Selected Alternative will not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

- Public/Private Historic Sites - The Selected Alternative will require the full acquisition of the property and relocation of the E.C. Williams House. The proposed relocation area for the E.C. Williams House is an MDOT owned parcel located on Elmwood Street in Port Huron. MDOT has proposed relocating the house from its historic location as a way to preserve the structure. The SHPO has determined that this will constitute an Adverse Effect on the property. The mitigation measures related to these Section 4(f) resources are documented in the signed Memorandum of Agreement contained in **Appendix A**.

5.2 Section 7 (Endangered Species Act)

The Selected Alternative will not affect any threatened or endangered species nor any species of special concern. No state or federally listed threatened and endangered animal species appear to exist within the Study Area. This determination is based on literature reviews, information from the Michigan Department of Natural Features Inventory, Michigan Department of Natural Resources and U.S. Fish and Wildlife Service, and field investigations.

5.3 Section 106 (National Historic Preservation Act)

The Selected Alternative will affect one historic property covered by Section 106 of the National Historic Preservation Act:

- Historic Properties – One historic property will be affected: the E.C. Williams House.

Mitigation measures related to Section 106 resources, pursuant to 36 CFR 800.6(b)(1), are documented in the signed Memorandum of Agreement (**Appendix A**).

5.4 Air Quality Conformity (Clean Air Act)

The project is consistent with MDOT's Long Range Plan and is listed on MDOT's 2009-2013 Five Year Transportation Program. Based on the air quality analyses completed for the proposed improvements, this project will not contribute to any violation of the NAAQS. A carbon monoxide (CO) microscale analysis and $PM_{2.5}$ Hot-Spot analysis were completed. The results indicated that CO and PM air quality standards will not be violated. However, FHWA and MDOT are committed to measures to minimize impacts on ambient air in or around the project vicinity. This includes measures to reduce pollution and minimize truck idling on the plaza.

Specifically:

- The truck circulation on the plaza was designed to minimize the time trucks need to traverse through the plaza.

- An increase the total number of inspection booths which will reduce queuing and idling.

- Increase the number of radiation detection portals and added NII as part of improve plaza circulation which will reduce queuing and idling.

- Increased enrollment in FAST and NEXUS enrollment.

- Improved local circulation of roadways

- The CBP standard operating procedure to require trucks to turn off their engines while being inspected.

- MDOT's 2003 Standard Construction Specification Sections 107.15(A) and 107.19 will apply to control fugitive dust during construction and cleaning of haul roads.

- MDOT's Guidance Document 10179 on Vehicle and Equipment Idling will apply.

- MDOT will work with contractors on an operational agreement to control air pollution during construction. A construction emissions plan may include actions such as: retrofitting off-road construction equipment; limiting the age of off-road vehicles used in construction projects; minimizing engine operations; restricting construction activities around certain more-sensitive receptors, such as the residential areas; using diesel particulate traps and oxidation catalysts; and, using existing power sources or clean fuel generators, rather than temporary power generators. The contractors will institute fugitive dust control plans per MDOT Standard Construction Specifications under Section 107.15A and 107.19.

- MDOT will work with SEMCOG, MDEQ, and the private sector and the community to create an action plan that includes short term and long term objectives aimed at reducing fugitive dust, diesel truck idling, fuel consumption, or diesel emissions to limit $PM_{2.5}$ emissions in the area within one mile of the plaza. The action plan will identify priorities for future federal aid eligible transportation projects through programs such as Congestion Mitigation and Air Quality (CMAQ) and the Midwest Clean Diesel Initiative. These activities will be implemented during design and construction phases and sustained through the maintenance and operations of the facilities. Activities could also include outreach efforts to inform commercial operations and residents of air pollution control strategies. The actual projects will be generated from the community and its partners who will develop project proposals to implement these strategies.

- Although landscaping is not a large element of the project, it will aid in improving air quality along roadways where utilized.

5.5 Environmental Justice and Title VI (Civil Rights Act)

The analysis has determined that there are no disproportionately high and adverse human health or environmental impacts on minorities and/or low-income populations by the Selected Alternative. The Selected Alternative will affect Environmental Justice populations in a similar manner to the general population. The FEIS complied with the *National Environmental Policy Act (NEPA), Environmental Justice guidelines and Title VI of the Civil Rights Act of 1964*, and did not exclude participation or deny benefits of any program or activity while conducting the study.

To ensure compliance with Environmental Justice guidelines and *Title VI of the Civil Rights Act of 1964* and related statutes, an intensive community involvement effort was employed as part of the environmental justice analysis and cumulative impact analysis. An analysis was completed to determine the cumulative impacts of the Blue Water Bridge Plaza Study project and others in the area on the community.

5.6 Permitting

Environmental permits will be obtained by MDOT in accordance with their Program/Project Management System. Environmental permits required for this project include:

- Permits under Michigan Public Act 451 required from the Michigan Department of Environmental Quality (MDEQ):
    - Part 31 (Water Quality and Floodplains)
    - Part 55 (Air Pollution Control)
    - Part 301 (Inland Lakes and Streams)
    - Part 303 (Wetland Protection)
- MDOT must obtain a permit from the United States Army Corps of Engineers for the placement of fill material in waters of the United States.
- Permitting under the National Pollution Discharge Elimination System (NPDES), which is administered by the MDEQ, is also required.
- A Section 9 permit concerning navigation requirements is required from the U.S. Coast Guard.
- Any additional required local permits will be obtained. The specific permits required will be determined during the design phase.

6.0 MONITORING AND ENFORCEMENT

NEPA legislation and implementation regulations require implementation and monitoring of mitigation measures to reduce or eliminate adverse environmental impacts associated with a planned action. Per 23 CFR 771.109, "it shall be the responsibility of the applicant (MDOT), in cooperation with the Administration (FHWA) to implement those mitigation measures stated as commitments in the environmental documents prepared pursuant to this regulation." (For additional statutory guidance see: 42 USC 4371 et seq., Presidential Order 11514, 23 CFR 771.109(6), 40 CFR 1505.2(c) and 1505.3).

6.1 Environmental Commitments Defined

Environmental commitments are composed of both environmental mitigation and community enhancements (see Project Mitigation Summary Green Sheet). Monitoring of the environmental commitments within this project will be accomplished in part by MDOT tracking environmental commitments with regular reporting to FHWA and the public as the project progresses.

- Project Mitigation includes measures required by law to address any damage to the social and natural environments caused by the project. Mitigation measures include avoidance, replacement, restoration, compensation or other means.

- Community enhancements are activities above and beyond what is required by law, and developed in cooperation with the local community.

6.2 Enforcement of Environmental Commitments

MDOT will track and enforce implementation of the environmental commitments listed on the Green Sheet. The Project Mitigation Summary Green Sheet included in **Appendix B** of this **ROD** details the Blue Water Bridge Plaza Study Project mitigation and enhancement commitments.

- MDOT's Project Planning Division will coordinate with MDOT's Lansing and Region Design and Construction staff to review the mitigation and enhancement commitments included in the FEIS and the ROD.

- MDOT's project manager for the Blue Water Bridge Plaza Study will be responsible for incorporating mitigation and enhancement commitments listed in the FEIS and ROD into the project design plans and proposal.

- MDOT Lansing and Metro Region staff will assist the project manager in completing and coordinating the various mitigation and enhancement commitments such as property contamination surveys, historic property documentation, and landscaping.

- MDOT staff will also coordinate maintenance of traffic, construction staging, with other federal, state, and local agencies on items such as local road improvements, plaza aesthetic features, economic development opportunities, excess property and air quality improvements.

- The MDOT project manager for the construction phase will be responsible for making sure the contractor completes the mitigation and enhancement commitments shown on the design plans and project proposal.

6.3 Environmental Commitment Progress Reporting

Good environmental stewardship and trust among the agencies and public can occur if MDOT assures, demonstrates, and communicates project environmental commitment implementation. The progress or status of the environmental mitigation and enhancement commitments made during the environmental clearance process and included in the ROD will be reported:

- Annually to FHWA in the Blue Water Bridge Plaza Financial Plan.

- Annually to the Federal and State Resource Agencies during the fall MDOT/FHWA update meetings held to discuss existing and upcoming major projects.

- Quarterly on the Blue Water Bridge Plaza Study website and to the Local Agency Group which will remain active throughout the project construction phase.

7.0 COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT

Noise Mitigation

Comment: *Will there be noise barriers anywhere on the project?*

Response: Section 3.4 of the FEIS discusses the noise analysis for the project. No noise barriers are proposed for the project at this time. Noise barriers were reanalyzed at three locations within the Study Area as part of the FEIS. Results indicated that noise barriers 1are not feasible based on projected traffic volumes, number of homes benefiting from noise walls, and costs. If however final design results in substantial changes in roadway design from modeled conditions, noise abatement measures will be reviewed.

Comment: *If there are to be noise barriers, will there be any placed along the I-94/I-69 corridor between the plaza exit, across the Black River Bridge and to Water Street?*

Response: No noise barriers are currently proposed for the project.

Comment: *If there are no barriers along the above noted corridor, please explain how that decision was made.*

Response: As discussed in the FEIS, Section 3.4 Noise Impacts, all the noise barriers analyzed met MDOT's feasibility criteria. However, none of the noise barriers met MDOT's definition for "reasonableness". Noise mitigation barriers will be considered "reasonable" if the construction cost is $38,060 or less (in 2007 dollars) per benefiting dwelling unit.

Comment: *Were noise barrier types, other than those considered for this project, available for consideration on this project?*

Response: Other noise barriers such as berms were not considered as they are not feasible within the limited space available.

Comment: *Would any of the barrier types not considered, have met the MDOT definition of "reasonableness"?*

Response: As the barriers were determined to not be feasible, the reasonableness criteria were not applied to the analysis.

Comment: *Was the projected increase in commercial traffic along this corridor considered in the noise mitigation decision?*

Response: Future traffic volumes were projected for the Blue Water Bridge Plaza Study and considered when analyzing noise barriers.

Comment: Will the use by commercial trucks, of engine retarder brakes, be banned in this area?

Response: No, they will not be banned in this area.

Comment: What is the projected noise increase as a percentage of current noise levels? What is the current decibel noise level, as measured during peak travel hours, for the Black River Bridge from any point perpendicular to and 1,500 feet from the Black River Bridge? What is the projected, year 2019, decibel noise level, as measured during peak travel hours, for the Black River Bridge from any point perpendicular to and 1,500 feet from the Black River Bridge?

Response: Noise impacts were discussed in detail in Section 3.10 of the DEIS and Section 3.4 of the FEIS. The analysis was completed following FHWA established Noise Abatement Criteria and MDOT's Highway Traffic Noise Analysis and Commission Policy for consideration of noise impacts on adjacent land uses.

Project Objection

Comment: I cannot believe that in spite of all the negative feedback regarding the Blue Water Bridge truck plaza expansion project that MDOT and the state are just going to go ahead anyway. The damage you are doing to the city of Port Huron is inexcusable. The people being displaced, the businesses being forced to move out of the city, the loss of income to the city - all this is criminal in my mind. The area does not need this plaza, the state does not need this plaza, it's a pure waste of money, time, effort and land. Truck traffic is down across the bridge, this project is expanding the plaza for less traffic?? Your destruction of the city with this project cannot be justified by any stretch of the imagination - and I for one hope that the people whose lives are now and will be affected by this project never stop complaining to Lansing and MDOT about it. I hope you get hundreds of complaints per day forever - you deserve them.

Response: Chapter 1 of the FEIS, "Why are Improvements Needed?" provides a detailed discussion of why improvements to the Blue Water Bridge Plaza are necessary.

Comment: Received by phone. Commenter takes a position opposed to the proposed expansion of the Blue Water Bridge Plaza. He said he has driven two million miles in his career as a truck driver and has driven across our borders countless times at Buffalo, Port Huron and Detroit. He cannot understand why all the expansion is being planned for the U.S. side only and not on the Canadian side. He said the Windsor truck inspection is a mile and a half from the border, which gets by with just a ten acre plaza. He also can't understand

how plaza personnel will be able to enforce the no idling rule. He said many drivers who do not speak English well will not know they cannot idle their trucks on the plaza and there won't be enough policing. He said he does not believe the plaza is being expanded for security reasons when a trucker can easily go to the middle of the bridge and blow it up.

Response: The Blue Water Bridge plaza located in Sarnia, Canada is scheduled to be expanded over the next few years. Signing will be provided to inform drivers that no idling is permitted on the plaza. The new plaza will provide additional space for CBP to complete their mission at the border and is not solely for the purpose of protecting the bridge over the St. Clair River.

Comment: The new plaza should be located in Port Huron Township which will eliminate the need to spend money redoing the existing plaza and will save tax money for the city as homes/commercial businesses will not need to be lost. Trucks can be staged by communicating with bridge employees and truck drivers to be released when a gate is opened and equipping trucks with a Government seal at remote location. If unbroken the truck can enter the bridge.

Response: The Township Alternative was discarded due to security reasons as discussed in Chapter 2 of the Draft Environmental Impact Statement (DEIS).

Comment: Why are we poised to tear down a Blue Water Bridge Plaza just finished 13 years ago, and build a new one?

Response: The reason for the project is provided in Chapter 1 of the FEIS. The security needs at the border have changed significantly since September 11, 2001 and the space required today for CBP to complete their mission is much different than the space needed 13 years ago.

Comment: There is no discussion whatsoever of the new outbound inspection booth process. This will take up valuable space, and how much delay is involved? What are the wait times that will be created? Are we to be individually asked why are we leaving the U.S.? Will we need to show passports at these booths too? This is a whole new ballgame that could significantly increase total delays, for those of us who want to go visit Canada and return. It's possible that this could effectively cancel out all time savings of any new inbound booths. Is this being done now at any other borders? If so, what is the delay track record for these newly instituted inspections? How do they help us be more secure? What is their cost benefit?

Response: Outbound inspection booths and facilities are required to allow CBP to enforce export control regulations and to allow the inspection of certain individuals leaving the country. Currently CBP conducts random exit control interviews by

flagging down outbound vehicles after they pass through the toll plaza. Currently, these inspections can cause backups on I-94/I-69 and congestion on the outbound part of the plaza.

Plaza Design

Comment: *A year or two ago I wrote to the then Port Huron City Manager expressing my concern about a "turn around on the American side of the Blue Water Bridge as the Canadians have on their side. In case you don't understand what I'm taking about, in Canada when one approached the toll booths, there is a lane labeled "Return to Canada." I think that is how it reads. He forwarded my letter to someone at MDOT. I received a reply saying that such a lane would be provided in the new plaza. I requested that a similar lane be designated on our approach because once when I was going to a meeting in Sarnia there was a total backup of cars across the bridge. There are strikes by the Canadian customs persons sometimes. There is a gate on the American side, and I hailed one of the bridge attendants and asked to be let through that gate as I knew I would never make it to my meeting before it was finished. His reply was "no." I had to cross the bridge and then turn around and come back home. Of course I had to pay tolls both ways. The Tuesday, March 24th issue of the Times Herald had a very long article about the new plaza as well as maps and diagrams. No where did I see the possibility of a "turn around." Did I miss it? Was it just not shown or has that been dropped for the latest plans? What would strangers do if they found themselves trapped in the lane to Canada? I would appreciate it if you would advise me on this matter.*

Response: A turnaround has been provided on the Selected Alternative just east of the Secondary Inspection area. However, the proposed plaza layout in the FEIS is meant to capture the primary plaza requirements of CBP in order to approve a "footprint" for the expanded plaza. The final details related to all traffic movements on the plaza will be worked out during the design phase of the project.

Mitigation

Comment: *The FEIS for the Blue Water Bridge Plaza proposed expansion project includes mitigation strategies which the technical review committee came to a consensus. It is expected that these strategies will be followed through on as this project unfolds and it is expected that any deviations in the scope of the activity or value attached should be reviewed by all parties prior to implementation and will be subject to discussions.*

Response: As the project progresses through design and construction, efforts will continue to minimize harm and reduce project impacts. When this is possible, without

reducing the performance of the Selected Alternative or increasing impacts to the sensitive resources, local stakeholders, resource agencies and the public will be consulted to determine if mitigation should be modified.

USDA Inspection Location

Comment: *The community remains steadfast in their belief that animal inspections conducted by the U.S. Department of Agriculture should not be conducted at the Welcome Center, plaza, or in an area that could result in complaints related to offensive odors or create a health hazard. It is our understanding that there are no plans at this time to relocate the existing facility (located on Wadhams Road). We trust that prior to relocation at any time in the future, the proposed host community will be consulted and will be in compliance with all applicable local ordinances.*

Response: There are no plans to move the existing animal inspection facility as part of this project.

Surplus Property

Comment: *Upon completion of various phases of this project the community would like a timely resolution to the disposition of surplus property as well as cooperation between MDOT and the host community with respect to future use and zoning designation.*

Response: Because MDOT has utilized a "worst-case" approach to identify impacted properties there is a possibility that excess property may be available upon project completion. It is MDOT's intent to sell all property that is identified as "excess property". The specific amount of available acreage of excess property will not be determined until after final design and construction are completed. However, based on the Recommended Alternative footprint, as discussed in Section 5.3 of the FEIS, MDOT estimates that between two to ten acres of excess property may be available to be returned to the tax rolls within the city of Port Huron and between two to fifteen acres of excess property may be available within Port Huron Township. All excess property will be sold at fair market value following the MDOT and FHWA guidelines. An overview of this process can be found at www.michigan.gov/mdot.

As noted in Section 3.1.1 of the FEIS, the city will need to re-evaluate the appropriate zoning and its plans for future land use based on the changes brought about by the enlarged plaza and roadway improvements. As outlined in Appendix C of the FEIS, MDOT has committed to fund any necessary updates to the Master Plan and zoning ordinance resulting from the plaza expansion.

Relocations

Comment: *The community expects that MDOT will work responsibly and with integrity as they deal with relocation of residents and businesses. We also would like MDOT to work closely with the respective communities that the properties are located in providing them with the opportunity to offer services that may aid in that resident or business relocated to that same community. The goal would be no net loss in equalized or taxable values as a result of any relocation.*

Response: Right-of-way acquisition, relocation assistance and advisory services will be provided by MDOT in accordance with Act 31, Michigan P.A. 1970; Act 227, Michigan P.A. 1972; the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Act 87, Michigan P.A. 1980, as amended and Acts 367 and 439 of Michigan P.A. 2006. MDOT will inform individuals, businesses and non-profit organizations if the project will have any impacts on their property. Every effort will be made, through relocation assistance, to assure property owner rights are upheld in the highest professional means possible. In accordance with Federal and State laws, MDOT cannot direct relocated residential or business property owners to specific areas (i.e., within the city of Port Huron, St. Clair County, or the state of Michigan).

Appendix A of the FEIS details MDOT's conceptual relocation plan for the project.

Welcome Center Location/Configuration and Funds

Comment: *The mitigation strategy includes a commitment of $300,000 as a contribution to the construction of a new visitor information center that would be operated by a local business or visitor's group, such as the Chamber of Commerce or Convention and Visitor's Bureau. There are discussions within the community as to the appropriate location and configuration of that facility. We would like assurances that irrespective of who, where, or how such a visitor service may be provided that the intent to use these funds to assist in directing visitors from the plaza to downtown Port Huron and the commercial areas in Fort Gratiot will be maintained and honored by MDOT.*

Response: MDOT intends to honor all commitments identified in Chapter 5 of the FEIS and the Green Sheet contained in this Record of Decision.

Economic Development Fund Distributions

Comment: *The mitigation strategy includes a commitment of $1 million for economic development activities to be allocated by MDOT over a period of time (out to 2019). MDOT, in cooperation with the local communities, shall be conducting an economic development analysis for St. Clair County. The results of said analysis shall be the basis for distributing the $1 million. It is imperative that the distribution schedule of the $1 million be flexible if deemed necessary by the economic development analysis. There are discussions within the community as to the appropriate agency that such a function shall be performed by. We would like assurances that irrespective of who, where, or how such services are provided that the intent to use these funds to assist in mitigating economic impacts and capitalizing on the opportunities that an improved plaza will bring will be maintained and honored by MDOT.*

Response: MDOT intends to honor all commitments identified in Chapter 5 of the FEIS and the Green Sheet contained in this Record of Decision. A separate agreement will be developed following the issuance of the Record of Decision that will outline how these funds will be utilized.

Aesthetic Design Guidebook Cooperation

Comment: *Mitigation strategies include a commitment of funds to the completion of an aesthetics design guidebook. This guidebook will be developed with the assistance of a community driven committee with technical assistance by a consultant funded by MDOT. The guidebook will be used by the project design engineers as they begin the work to design and engineer the project. We would like assurances that the design staff of both the U.S. Federal Highway Administration and MDOT will be diligent in incorporating elements of the design guidebook in the final design of the proposed project. Further, the final design will be respectful of the character of the neighborhood that it is placed in and of the heritage and culture of the county and state of Michigan.*

Response: MDOT intends to honor all commitments identified in Chapter 5 of the FEIS and the Green Sheet contained in this Record of Decision.

MDOT has developed the Aesthetic Design Guide (ADG) (see **Section 5.4** of the **FEIS**) which describes and illustrates design intent, specific aesthetic design features and enough design detail to demonstrate the aesthetic commitments to be carried forward during the final design and construction phases of the project. A public open house will be provided to allow review and comment on the guide outcomes. MDOT intends to incorporate the local preferences identified in the ADG into the final design and construction phases of the project.

Inspection Booth Staffing and Wait Times

Comment: *Recent bridge traffic count data indicates that crossings at the border have been declining for several years. While we realize that the plaza improvements are not being driven by traffic, we do realize that if traffic is down support for manning inspection booths may decline as well. Given that a major goal of the improvements has been to decreasing the waiting time for those crossing the bridge, any reduced commitment to man the inspection booths will compromise the objectives of the project. The community would like a commitment from the plaza tenant that booths will be fully manned to ensure that wait times average the three (3) minute goal.*

Response: The primary need for a new plaza at the Blue Water Bridge is inspection and security enhancements and safety concerns with the existing plaza. CBP management of the Port of Entry determines the level of staffing based on location specific criteria. CBP maintains adequate staffing to fully staff all 13 existing primary lane booths during peak traffic hours. With an increase in the number of primary booths, CBP will reassess the staffing allocation at the plaza to ensure that all booths will be fully staffed during these peak hours. For national security and law enforcement reasons, CBP does not publicly disclose staffing assignments at U.S. Ports of Entry's.

Comment: *We have been closely following the proposed new international publicly financed crossing in Detroit as well as the potential for a second private crossing at the Ambassador Bridge. While we understand there are some inherent logistical advantages to some transport routes to use the Blue Water crossing we remain mindful that the federal government has a limited northern border budget. What assurances does this community have that the improvements to the crossings to the south will not adversely impact goals to reduce crossing times at this crossing and drain federal staffing resources from the blue water plaza?*

Response: Section 1.6.2 of the FEIS addresses CBP's Border Operational Policies and Assumptions.

Community Job Creations

Comment: *Much has been made of the expected economic impact that project construction will bring to the community. We would like MDOT project staff to provide quarterly reports to the community on the construction jobs provided and an estimate of payroll during that period of time. In addition, we request that MDOT conduct multiple seminars in St. Clair County that would allow local contractors and suppliers to become pre-qualified vendors.*

Response: MDOT will provide quarterly progress reports to the community throughout the design, right-of-way, and construction phases of the project.

MDOT and FHWA will seek the best possible value from their investments when tendering construction projects and like any other project, there is no guarantee that local firms would be selected and local materials will be used. Local economic benefits from construction would depend on the availability of local materials and workers and the ability of local contractors to competitively complete the job. The project will comply with the Davis Bacon Act and associated prevailing wage requirements.

MDOT will hold a Public Forum in Port Huron following the issuance of the Record of Decision to introduce the Blue Water Bridge Plaza project to interested professionals in the construction contracting and engineering/architecture communities so they may decide to participate in the project's implementation.

Unaddressed DEIS Concerns Due to Design/Construction Phase Issues

Comment: Many comments offered by the community on the Draft Environmental Impact Statement have been acknowledged to be issues that will be addressed during the project design and construction phases. While we accept this, we also feel very strongly about those original issues. Please advise the community on what assurances we have from MDOT, Federal Highway, and the General Services Administration that they will continue to cooperate and communicate with the community addressing those issues in the DEIS?

Response: MDOT, as the lead agency, commits to maintain the current level cooperation and communication established as part of the environmental process. FHWA and GSA, as partners with MDOT in this project, also commit to continued communication throughout the design and construction of this project. MDOT will meet regularly with local officials during the next phases of the project and will inform the public of opportunities to communicate project concerns to the project team.

Air Quality During & After Project Completion

Comment: Air quality remains a concern for the community, both during the construction phase, and after the facility is completed. What steps will the project team take to assure air quality standards are being met and how will those results and compliance advisories be relayed to the community at large? What steps will be taken after the facility is

constructed to ensure that current base line air quality measures are not compromised (no net gain in pollutants) into the future?

Response: MDOT will work with SEMCOG, MDEQ, the private sector and the community to create an action plan that includes short-term and long-term objectives aimed at reducing fugitive dust, diesel truck idling, fuel consumption, or diesel emissions to limit PM2.5 emissions in the area within one mile of the plaza. The action plan will identify priorities for the future federal aid eligible transportation project through program such as, Congestion, Mitigation and Air Quality (CMAQ) and the Midwest Clean Diesel Initiative. These activities will be implemented during design and construction phases, and sustained through the maintenance and operation of the facilities. Activities could also include outreach efforts to inform commercial operations and residents on air pollution control strategies. The actual projects will be generated from the community and its partners who will develop project proposals to implement these strategies.

Section 5.4 of the DEIS document identifies MDOT's best practices for minimizing air pollution and particulate matter during construction. Based on the air quality analyses completed for the proposed improvements, this project will not contribute to any violation of the National Ambient Air Quality Standards (NAAQS) and is not expected to have a substantial effect on MSATs in the region. MDOT's 2003 Standard Construction Specification Sections 107.15(A) and 107.19 will apply to control fugitive dust during the construction and cleaning of haul roads. Additionally, MDOT will utilize Intelligent Traffic Systems, such as changeable message signs along the I-94/I-69 corridor to most effectively manage traffic operations and reduce long durations of idling where feasible.

Local Communications Office during the Construction Process

Comment: *Will the project team create, man, and publicize a local project 'ombudsman' office designed to communicate with host communities and address complaints filed by residents and business persons during the construction process?*

Response: Within 90 days of receiving a Record of Decision, MDOT will submit to FHWA a Project Management Plan (PMP). This document will provide a detailed communication plan for the design, right-of-way and construction phases of the project.

On typical MDOT construction projects, concerns during the construction phase can be made at MDOT's Port Huron Transportation Service Center located at 2127 11th Avenue, Port Huron, Monday through Friday from 7:30 a.m. to 4:30

p.m. The project website will continue to be maintained through the life of the project and for some time after the project is completed.

Traffic Wait Times

Comment: *Does the expected average 3 minute wait time for trucks apply to westbound and eastbound truck traffic?*

Response: The delay analysis was completed for traffic entering into the U.S (i.e., westbound) only.

Comment: *Does the "wait time" refer only to the time the truck waits in line to reach the booth not including the processing time at the booth?*

Response: The delay time refers to the time it takes a vehicle to leave the Canadian Booths and reach the Custom and Border Protection Primary Inspection Booth. It does not include any CBP processing time.

Comment: *What are the main factors that will decrease the truck wait times by almost 9X compared to today's time?*

Response: Increasing the number of primary inspection lanes from an existing 12 booths to 20 booths. Also contributing in the delay reduction is avoidance of the existing merge/weave which occurs on the existing Blue Water Bridge. The Selected Alternative will require that trucks use the right-lane which will remove this weave and improve traffic operations.

Preliminary Design

Comment: *Will any more traffic lanes be added to the eastbound highway approaching the bridge? If not, does that mean MDOT expects the eastbound truck lineups will also be significantly reduced?*

Response: Yes. Beginning just west of the Water Street interchange, the I-94/I-69 corridor will be widened to three lanes heading to the plaza. International traffic will be separated from local traffic. One lane will be provided for trucks, one lane will be provided for cars and one lane will be provided for vehicles enrolled in FAST/NEXUS programs.

Construction Schedule

Comment: *What is the current forecast for construction to begin and end?*

Response: Construction will begin along the I-94/I-69 corridor and the Black River Bridge replacement. The earliest construction would begin for the corridor is in 2011. Construction on that segment of the project is anticipated to take 2 years. The next phase is the relocation of Pine Grove Avenue. The earliest construction is likely to begin on this segment is 2013. Once Pine Grove Avenue is relocated work can begin on the plaza. The earliest construction is likely to begin on that phase of the project is 2014. Construction on the plaza is projected to be complete by 2017.

Pedestrian Connectivity and Handicap Mobility

Comment: *This project includes moving the current Pine Grove Avenue in Port Huron, Michigan to the west of its current location. The current Pine Grove Avenue includes Pedestrian Walkways on both side of the roadway. The new location has failed to maintain the connecting walkways. All that has been considered in this project is the vehicle traffic patterns and not pedestrian or handicap traffic. You have failed to provide easy access for handicap people to traverse the new plaza area. Now a handicap person must travel a greater distance to reach the north side of Port Huron. It is also my understanding that you have created another barrier from the Pine Grove Avenue/Hancock St intersection west into the subdivision on the west side of I-94/69. Currently one can cross the I-94/69/Hancock intersection at the traffic light. Provisions of accommodation have not been included for future crossing of this area. We don't have the luxury of a motorized vehicle, whereby a little longer distance would not matter. The shortest distance for a handicap person is extremely important. Handicap mobility is as important to us as vehicle traffic is to you. . This lack of understanding is what has required the Americans with Disability Act (ADA), State of Michigan Handicap Laws and the cases won by the ACLU.*

I'm sure you will try to justify your position by quoting that the minimal requirements have been meet or provide the excuses that there are no other ways that accommodations can be done. Your minimal requirements of making it longer to negotiate this area does not comply with "easy access". As a handicap person, I'm much more qualified to understand what "easy access" means, whereby you do not have the life experience to judge it. I would suggest that you readdress the project to incorporate better ideas of accommodation for handicap people. I do not believe that the best resolution to the problems created by the project have been considered so far. Handicap accommodations could be accomplished by creating additional shorter walkways or accesses to go over or

under this area. It would cost less to incorporate such changes prior to the project construction rather then have to add them after the project is completion.

Response: No sidewalk is proposed on the west side of relocated Pine Grove Avenue between Hancock Street and 12th Avenue as that will be limited access right-of-way associated with the termination of the I-94/I-69 interstate system.

Sidewalks will be provided on the east side of relocated Pine Grove Avenue and will be maintained on roadways which currently feature sidewalks. New sidewalks will be provided on affected roadways that do not currently have sidewalks if there is a demonstrated need for pedestrian accommodation and/or a need to maintain or improve pedestrian connectivity between the neighborhoods affected by the proposed project. All sidewalks will be constructed in compliance with the Americans with Disabilities Act (ADA) of 1990. The ADA compliant sidewalks will provide curb cuts at all crosswalks and ramps that do not exceed maximum grades. The goal is to remove and replace all physical barriers within the public right-of-way that inhibit people with disabilities from accessing programs, services, activities and public accommodations.

MDOT has incorporated several enhancements into the design of the Selected Alternative which improve non-motorized access and circulation between the city of Port Huron and Port Huron Township, and connectivity with other existing non-motorized systems. These enhancements were developed as part of continued coordination efforts with the city of Port Huron, Port Huron Township, and St. Clair County.

MDOT will construct a 14-foot non-motorized crossing on the south side of the newly expanded I-94/I-69 Black River Bridge. This will be a multi-directional facility and will be designed to accommodate both pedestrians and cyclists. The path will connect with the existing sidewalks along Water Street and the newly constructed non-motorized facilities along relocated Pine Grove Avenue. All replacement facilities would meet Americans with Disabilities Act Guidelines.

Project Process and Project Funds

Comment: In May a Record of Decision is to be released. What is the next step in the project after that?

Response: MDOT will begin work on the design and right-of-way acquisition phases for both the corridor and plaza components of the project.

Comment: *Has the project already been approved and the money for it already appropriated or otherwise committed?*

Response: FHWA's issuance of the ROD provides the formal approval of the project. MDOT has already secured funding to complete the design phase and fund a portion of the right-of-way needed for the project. Once a ROD has been issued, MDOT will move forward with the development of an Initial Financial Plan which will identify funding for the remaining right-of-way and the construction phase of the project.

Act 51 & City of Port Huron Match Issue

Comment: *Under Public Act 51 the city of Port Huron is required to pay 8.75% of MDOT's match requirements. Due to the size of this international border crossing project this cost will be significant and represents approximately $2.0 million. This requirement is an unreasonable hardship on a small community for a project that is intended to benefit international trade.*

Response: Section 5.29 of the FEIS discusses how the city's Act 51 match will be addressed. Based on its revised valuation of the city's surrender of the rights-of-way for the Blue Water Bridge plaza project (see ROD Errata Sheet), MDOT will credit up to $995,000 against the cost participation otherwise required from the city under Act 51.

MDOT will continue to coordinate with the city of Port Huron as cost estimates and the project's financial plan is finalized. The department also commits to continued discussions between the local community and other state agencies that may have grants or other resources to bring to the Port Huron community that could help offset the financial impact of this project.

Comment: *The City has been implementing a costly program to comply with an MDEQ Director's Order based on his authority under the Clean Water Act. As part of this program the City recently installed new sewer, water mains, and pavements in an area that will now be included in the Bridge Plaza and relocated Pine Grove Avenue footprint. The proposed Blue Water Bridge Plaza project will make this infrastructure useless, and MDOT will be acquiring property and relocating customers that would have used the infrastructure. The City borrowed a significant amount of money to install this infrastructure. The debt will remain but the infrastructure will be abandoned. The City would like a definitive commitment to reimburse the City for the cost of this infrastructure.*

Response: MDOT agrees to reimburse the city of Port Huron for recent CSO infrastructure improvements, which will be abandoned, decommissioned, and or those that

cannot be functionally relocated as part of the plaza expansion project. A separate agreement will be developed during the final design phase which outlines specific details of the reimbursement.

Purpose and Need for the Project

Comment: *MDOT intentionally narrowed the purpose and need for the BWB Draft EIS in September 2007 from providing future capacity for the Michigan-Ontario Transportation Corridor and limited its focus to the local Port Huron corridor to only focus on local traffic without providing any explanation or rationale.*

Response: The purpose of the project has not changed since the release of the Draft Environmental Impact Statement (DEIS) in September 2007. The purpose of the project is to:

- Provide safe, efficient and secure movement of people and goods across the Canadian-US border in the Port Huron area to support the economies of Michigan, Ontario, Canada and the United States.

- Support the mobility and security associated with needs of national and civil defense.

As documented in Chapter 1 of the FEIS, existing delays occurring on the Blue Water Bridge coming into the United States are a result of operational issues with the U.S. Customs and Border Protection (CBP) inspection areas on the plaza. The existing primary and secondary inspection areas provide CBP with limited space to complete their core mission which in turn inhibits traffic flow across the Blue Water Bridge.

Following receipt of comments on the DEIS, additional justification was added to Chapter 1, Section 1.6 of the FEIS (Purpose and Need) to explain CBP's operations and to provide additional information regarding CBP's Program of Requirements (POR) which dictated the specific size requirements of the plaza expansion.

Further, MDOT never stated the purpose of the project was to improve capacity across the St. Clair River. In fact, the capacity of the bridge will not change regardless of whether the Blue Water Bridge plaza expansion project moves forward as no capacity improvements are proposed for the Blue Water Bridge twin spans over the St. Clair River.

MDOT did not change the purpose of the BWB Plaza Study rather it provided additional justification for the project need.

Comment: *The stated Purpose and Need for the Blue Water Bridge Plaza Reconstruction Study is not in keeping with the 2030 Regional Transportation Plan for Southeast Michigan.*

Response: The Purpose and Need for the BWB plaza study is consistent with Southeast Michigan Council of Government (SEMCOG) 2030 Regional Transportation Plan (RTP). The following table was included in the RTP (Table 9) which identified Border Crossing Capacity in Southeast Michigan:

Crossing	U.S. Road Access Capacity	U.S. Border Processing	Bridge/Tunnel Capacity	Canada Border Processing	Canada Road Access Capacity
Blue Water Bridge	Beyond 30 years	5 to 10 years	Beyond 30 years	15 to 20 years	Beyond 30 years

Source: SEMCOG 2030 Regional Transportation Plan, p. 24, November 2004

The scope of the BWB plaza study addresses the operational and localized capacity deficiencies associated with the U.S. border processing area of the border crossing in Port Huron, the same deficiency which is identified above in SEMCOG's 2030 RTP.

Further the RTP promotes efficient border crossings including:

> "…..continued collaborative efforts with Canadian officials, including the Fast and Secure Trade (FAST) program that streamlines the border crossing process, enhances security, and improves the efficient flow of commodities between nations. The 2030 RTP contains funding for improvements at both the Blue Water Bridge Plaza in Port Huron….. (SEMCOG 2030 RTP, p. 57)".

The BWB Plaza study contains improvements to the I-94/I-69 corridor that facilitates FAST/NEXUS travel, and improves the efficiency of the Port Huron crossing and thus is consistent with the RTP.

Projected Traffic Growth

Comment: *Projected traffic growth to 2030 is unrealistic and not indicative of existing traffic growth.*

Response: When developing the EIS, MDOT utilized a worse-case scenario when assessing potential project impacts, including future traffic projection impacts. A high and low range traffic projection was developed for the future traffic trends with the high growth values used for the worse case scenario. MDOT acknowledges that the short-term trend in border traffic has declined at the Blue Water Bridge as well as at all northern border crossings during this recent economic recession.

However, as documented in Chapter 1, Table 1.6, border delays at the Port Huron Port of entry continue to exist as a result of inadequate Port of Entry facilities for CBP.

Furthermore, this decline in short term traffic trends does not change CBP's Program of Requirements and subsequent sizing of the proposed border plaza. The larger plaza is needed to allow for new technologies, procedures, and facilities for U.S. Customs and Border Protection operations. The improvements also provide flexibility to accommodate future inspection technologies and procedures.

Cumulative Effects of the Project

Comment: *The cumulative effects of the proposed Blue Water Bridge Plaza Study together with the effects of other projects that have been, or will be carried out, have not been taken into account. The BWB FEIS fails to take into consideration the additional capacity provided in the Michigan-Ontario Transportation Corridor by six other infrastructure projects.*

Response: Cumulative impacts within NEPA are defined by 40CFR 1508.7:

> *Cumulative impact is the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively* ***significant*** *actions taking place over a period of time.*
>
> *40CFR 1508.27 continues by defining the term significant as used in NEPA. Significance is defined by two factors context and intensity. Context means that an action must be analyzed in several contexts such as society as whole, the region, the local municipality, the individual neighborhood, etc. Intensity is defined as:*
>
>> *(b) the severity of impact. Responsible officials must bear in mind that more than one agency may make decision about partial aspects of a major action. The following should be considered in evaluating intensity:*
>>
>> *(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* ***Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment.*** *Significance cannot be avoided by terming*

an action temporary or by breaking it down into small component parts.

The Ambassador Bridge and the Blue Water Bridge are located approximately 65 miles apart along the I-94 corridor in southeast Michigan. These two international border crossings have co-existed since 1938, the year the Blue Water Bridge opened to traffic in Port Huron. Since this time, traffic has grown immensely as the economies of the U.S. and Canada have evolved and global trading influences have increased the demand on cross-border trade. According to statistics provided by the Public Border Operators Association (2008), the Ambassador Bridge and the Blue Water Bridge rank # 1 and # 2 respectively in annual commercial vehicle volumes between the U.S. and Canada. Clearly, they both provide a critical link in the State of Michigan's, United State's and Canadian economies.

Gateway Project: The scope of the Blue Water Bridge Plaza Study does not add capacity to the northern border transportation system, rather it addresses localized safety (MDOT) and operational needs of the Department of Homeland Security's U.S. Customs and Border Protection. Therefore, the BWB plaza scope does not create a severe impact on nor will it significantly impact the scope of the Ambassador Bridge Gateway Project, which like the Blue Water Bridge Project makes operational improvements to the Ambassador bridge plaza, connections to the plaza and the I-75 corridor.

Ambassador Bridge New Span: According to the Ambassador Bridge Enhancement Project Environmental Assessment (EA) released in January 2009, the Detroit International Bridge Company (DIBC) is proposing to replace the existing Ambassador Bridge span with a new span immediately adjacent to the existing one. The following is an excerpt taken from Section VIII of the January 2009 Ambassador Bridge Enhancement Project EA project explaining the purpose of that proposed action:

> *The existing bridge is 80 years old, and cannot indefinitely continue to carry heavy commercial traffic without significant and costly upgrades. The existing bridge lacks dedicated FAST lanes, an addition which DIBC has been requested to add to its crossing by the governments of the U.S and Canada. The current travel lanes do not meet modern standards for highway and shoulders. The existing bridge cannot feasibly be widened due to engineering restrictions since it is constrained by the existing towers and catenary cables.*
>
> *For these reasons, DIBC has proposed replacing the existing bridge with a new structure that has standard 12' lanes, standard safety shoulders, and provides for the operation of the FAST booths already in place in the existing plazas. DIBC*

has proposed the ABEP to replace an obsolete, aging bridge with a new bridge that meets modern standards and provide a long-term plan to maintain traffic through the corridor with minimal interruption.

As stated in previous sections of this Preface, the purpose of the ABEP is different from the stated purpose of the DRIC study. The ABEP is not designed to address regional transportation needs or traffic capacity across the border, but to move traffic from the existing structure to the proposed structure to maintain efficiency of the crossing.

Because the twinning of the Ambassador Bridge is a preservation-based project, MDOT does not anticipate any significant changes to the existing cross-border travel patterns. Therefore, MDOT believes the scope of the BWB plaza project will not create a severe impact on the twinning of the Ambassador Bridge. Further MDOT believes the Blue Water Bridge can continue to co-exist with the Ambassador Bridge as they have for the past 71 years. MDOT does not believe the BWB plaza expansion improvements will have a significant cumulative impact on the Ambassador Bridge.

Detroit River International Crossing (DRIC): During the EIS development process of both the DRIC and BWB projects, the two project teams coordinated extensively on issues which may affect both crossing including the cross-border traffic analysis. Chapter 3 of the DRIC FEIS discusses the potential changes that could occur if the new DRIC is constructed. MDOT acknowledges on page 3-58 of the DRIC FEIS that:

Providing a new border crossing would cause travel shifts over a wide area. For example, a new Detroit-Windsor crossing could attract travelers from the Blue Water Bridge at Port Huron, Michigan. At the same time, the proposed border crossing would reduce traffic on the Ambassador Bridge and in the Detroit-Windsor Tunnel.

MDOT also projected in the DRIC FEIS (p. 3-60) that:

A seven percent decline in overall auto traffic on the Blue Water Bridge and a 16-to-18 percent decline in overall truck traffic with the introduction of a proposed DRIC crossing in the 2035 PM Peak Hour.

The volume of traffic that could potentially be diverted to a new DRIC crossing, however is not great enough for CBP to change their Program of Requirements for a Major Port of Entry as defined by the U.S. Land Port of Entry Design Guide. Consequently, the larger plaza is needed to allow for new technologies, procedures, and facilities for U.S. Customs and Border Protection operations.

The improvements also provide flexibility to accommodate future inspection technologies and procedures. MDOT will take this potential diversion from the Blue Water Bridge into consideration during the development of the Initial Financial Plan.

Therefore, MDOT does not believe the BWB plaza expansion scope will have a significant cumulative impact on the DRIC project.

The remaining two projects, the Detroit River Tunnel Partnership (DRTP) and the Detroit Intermodal Freight Terminal (DIFT) are rail projects that are in the process of obtaining environmental clearance. The BWB plaza study proposes no improvements or connections to the rail tunnel in Port Huron that would significantly alter rail freight volumes. Furthermore, MDOT and FHWA do not anticipate a major national shift in freight movement from truck to rail that would reduce the demand of commercial vehicles crossing the Blue Water Bridge to make CBP change their Program of Requirements and reduce the size of the proposed Blue Water Bridge plaza.

For these reasons, MDOT and FHWA believe the scope of the indirect and cumulative analysis contained within the FEIS is accurate and that the BWB plaza expansion project will not have a severe or significant cumulative impact on adjacent regional transportation facilities over a period of time.

Timing of Release of the BWB FEIS

Comment: *The release of the BWB FEIS was purposely, intentionally and maliciously delayed by the Michigan Department of Transportation (MDOT) to ensure the approval of the construction of the Detroit River International Crossing (DRIC) bridge.*

Response: The DEIS comment period for the Blue Water Bridge Plaza Study was extended to 120-days from 60-days on request by the city of Port Huron, St. Clair County, and a local business coalition. Over 1,000 comments were received regarding the DEIS which required extensive coordination and time to address.

Based on the comments received MDOT conducted a series of meetings with the local agencies to work out the specific issues of concern with the proposed project. This process required over eight months to develop mitigation and enhancement measures to address the local concerns.

In addition, this project is considered a "Mega Project" by the FHWA based on its estimated construction cost. All Mega Projects require a detailed cost review by an independent FHWA cost review team. FHWA required this review be

completed prior to the release of the FEIS. This review was not able to occur until mid-March 2009. No deliberate delay of the Blue Water Bridge Plaza Study FEIS occurred by MDOT or the FHWA.

Fair, Meaningful EIS Process

Comment: *MDOT must engage in a fair, more meaningful environmental impact statement that meets the purpose and objectives of NEPA.*

Response: MDOT followed all NEPA, CEQ, and FHWA guidelines during the development of the DEIS and FEIS for the BWB Plaza Study. As documented in Chapter 6 of both the DEIS and the FEIS, MDOT has engaged in a fair, open and transparent process to engage in meaningful dialogue with the public and parties impacted by the proposed project. MDOT has held over 110 meetings, workshops and field reviews with local and state officials, citizens and other special interest groups during the development of the EIS.

Request an Extension of the BWB FEIS 30-day Waiting Period

Comment: *Request an extension of time to provide additional comments which is appropriate as extension for comments on other projects have been granted.*

Response: An official public comment period of at least 30-days is required following the availability of a Draft Environmental Impact Statement (DEIS) A public comment period following the availability of an FEIS is not required. Instead, once an FEIS is made available, there is a 30-day wait period before a Record of Decision can be issued. This 30-day wait period is provided to allow time for the agency decision maker to consider the purpose and need, weigh the alternatives, balance their objectives, and make a decision. It is also during this 30-day wait period that another federal agency may notify the lead agency that proceeding with the proposed action is environmentally unacceptable.

MDOT and FHWA will not issue an extension for comments on the Blue Water Bridge Plaza FEIS.

8.0 CORRECTIONS TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT

- **Table 5.29.1 City Streets to be vacated due to plaza project** and in Section 5.29 of the **FEIS** MDOT calculated a credit for these streets based on the length and square footage shown in the table. The total value indicated in the document is $707,000. There was an error in the original FEIS calculation as it did not include a portion of Scott Avenue that must be vacated. MDOT will increase their commitment up to $995,000 that can be applied towards the Act 51 match for the value of the city streets which need to be vacated. The original calculation also assumed a flat 60% remaining service life across all streets. During the design phase MDOT will evaluate each street to finalize a value which may shift this amount up or down slightly. Street length corrections and the cost for reconstruction are shown in the table below.

Street	Street Length in feet	Cost (Reconstruct)
13th Ave	540	$ 135,000
12th Ave	922	$ 230,500
11th Ave	694	$ 173,500
Church St	795	$ 198,750
Elmwood St	625	$ 156,250
Harker St	760	$ 190,000
Mansfield St	1725	$ 431,250
Scott Ave	373	$ 142,486
Total	6434	$ 1,657,736
MDOT Credit		**$ 995,000**

- Page 1-34 of the **FEIS** stated that "the Michigan Department of Transportation is also studying the addition of another land port crossing of the Detroit River." It should instead read, the Michigan Department of Transportation January 14, 2009 received a signed Record of Decision for the Detroit River International Crossing issued by the Federal Highway Administration.

Appendix A

Memorandum of Agreement

MEMORANDUM OF AGREEMENT BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION AND
THE MICHIGAN STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE BLUE WATER BRIDGE PLAZA IMPROVEMENTS
CITY OF PORT HURON, ST. CLAIR COUNTY, MICHIGAN
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR PART 800.6(b)(1)

WHEREAS, the Federal Highway Administration (FHWA) of the U.S. Department of Transportation has determined that the proposed Blue Water Bridge Plaza Improvements (Project) will result in the relocation of the E.C. Williams House, 2511 10th Avenue, City of Port Huron, St. Clair County, Michigan and will pose an adverse effect upon this building, which appears to meet the criteria for listing in the National Register of Historic Places: and

WHEREAS, the E.C. Williams House is located within the approved Project footprint and cannot be preserved in place due to security considerations; and

WHEREAS, the FHWA has consulted with the Michigan State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) (the Act); and

WHEREAS, The Michigan Department of Transportation (MDOT) participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA);

NOW, THEREFORE, FHWA and SHPO agree that the Project shall be implemented in accordance with the following stipulations in order to take into account the effect of the Project on historic properties.

STIPULATIONS

FHWA shall ensure that the following measures are carried out in a phased process. Phase I mitigation must be completed prior to the relocation of the E.C. Williams House. Phase II may occur within the specified timeframes noted herein.

I. PHASE I MITIGATION

A. Recordation

1. The E.C. Williams House shall be recorded so that there is a permanent record of its existence. MDOT shall prepare photographic documentation and a historical overview of the E.C. Williams House as directed by SHPO. Unless otherwise agreed to by the SHPO, MDOT shall ensure that all documentation is completed and accepted by the SHPO for deposit in the Archives of Michigan prior to the commencement of any demolition or construction activity concerning the E.C. Williams House. MDOT will provide additional original copies of the recordation package to appropriate local repositories designated by the SHPO.

2. MDOT shall include, if available, as part of the recordation package original or archival – quality copies of historic E.C. Williams House photographs. In addition, electronic versions of these photographs will be submitted.

3. MDOT shall also provide photographic documentation of the building relocation process when it is available.

4. Recordation shall be conducted after MDOT has taken possession of the historic house but prior to relocation and/or any Project related construction activities.

B. Acquisition and Maintenance of the E.C. Williams House

1. MDOT shall acquire the E.C. Williams House following MDOT Real Estate policies.

2. MDOT shall remove the existing Michigan Historical Marker and deliver same to SHPO prior to relocation and/or any Project related construction activities.

3. MDOT shall maintain the historic property in accordance with the *Secretary of the Interior Standards for the Treatment of Historic Properties,* 36 CFR Part 68, (1995), *Standards for Rehabilitation,* 36 CFR Part 67.7 (July 1, 2004 edition) during such time the house is in possession of MDOT and after the seller has vacated the premises.

4. MDOT shall submit a function and maintenance plan to the SHPO for review and approval upon purchase of the property. MDOT shall implement the plan after receiving SHPO approval.

5. MDOT may elect to use or lease the relocated historic house for temporary office functions during Project construction and through the marketing phase. MDOT shall consult with SHPO to develop a function and maintenance plan. MDOT shall implement the plan after receiving SHPO approval.

6. MDOT (and/or lessee) shall not remodel or modify the historic house without approval from SHPO. MDOT shall secure all necessary permits for any approved remodeling or modifications prior to undertaking such work.

7. MDOT shall install appropriate security equipment, including but not limited to smoke alarms, CO_2 monitors, and intrusion alarms. MDOT shall maintain said devices until transfer of the property to a new owner.

8. No construction tools, equipment, or materials shall be stored in the historic house.

II. PHASE II MITIGATION

A. Relocation of the E.C. Williams House:

1. MDOT, in consultation with the SHPO, shall develop a moving plan and submit it to the SHPO for review and approval. The moving shall be in accordance with the approaches recommended in *Moving Historic Buildings* (John Obed Curtis, 1995, Altamira Press).

2. The plan will include the approved location of the historic house, the procedure for obtaining a qualified professional mover, and a relocation plan outlining the relocation route and relocation process (including any temporary relocation of utility poles, utility

wires, traffic signals and signs, or other appurtenances), and all necessary public safety considerations.

3. Upon receiving approval of the moving plan from the SHPO, MDOT will implement the plan, including securing the necessary permits.

4. MDOT shall assure that all utility connections are re-established (including water, natural gas, electricity, sewage, and telephone) once the historic house is relocated.

5. MDOT shall make all necessary repairs to assure the property is in the same condition following relocation as it was when MDOT took possession of it.

6. All utility and repair work shall be made in accordance with the Michigan Single State Construction Code, as adopted by the City of Port Huron (*Code of Ordinances, City of Port Huron, Michigan, Chapter 10, Buildings and Building Regulations, Article II, Single State Construction Code, Sec 10-31 Adoption;* and *Act 230 of 1972, as amended*). All necessary permits shall be secured prior to the start of any work.

7. MDOT shall consult with the SHPO regarding the installation of a revised Michigan Historical Marker near the relocated E.C. Williams House. If the proposed marker is approved by the Michigan Historical Commission, then MDOT shall take the necessary steps to develop and install a new Michigan Historical Marker that reflects the changed conditions of the relocated E.C. Williams House.

B. Marketing of the E.C. Williams House:

MDOT shall consult with SHPO in the development of a marketing plan for the E.C. Williams House.

1. The marketing plan shall include the following elements:

    a. An information package about the property which includes, but is not limited to:

        - Photographs of the property;
        - A parcel map;
        - Information on the property's historic significance;
        - Information on the property's cost and any State and/or Federal assistance might be available; and
        - Notification of the inclusion of a Historic Preservation Easement in the property's deed at the time of transfer.

    b. A distribution list of potential purchasers or transferees
    c. An advertising plan and schedule
    d. A plan and schedule for receiving and reviewing offers in consultation with the SHPO.

2. FHWA shall implement the marketing plan upon acceptance by the SHPO.

3. FHWA shall review all offers in consultation with the SHPO prior to their acceptance. FHWA shall assure that the transfer documentation for the property includes the SHPO approved Historic Preservation Easement.

4. MDOT shall make a reasonable, good faith effort to sell the property with a Historic Preservation Easement attached to the deed. If there is no acceptable offer that conforms to the requirements of the easement, MDOT, with the approval of SHPO, may transfer the property without the preservation easement.

5. MDOT shall document the property conditions prior to transfer of the property.

III. GENERAL CONSIDERATIONS

A. Amendment

1. Any party to this MOA may propose to the other parties that it be amended, whereupon the parties will consult in accordance with 36 CFR800.6(c)(7) to consider such an amendment.

2. In the event that any portion of Phase II Mitigation (Stipulation II) is found to be infeasible, the parties to this MOA shall consult to consider appropriate alternative mitigation.

B. Dispute Resolution

Should the SHPO or MDOT object within 30 (thirty) days to any actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 45 (forty-five) days after receipt of all pertinent documentation, the Council will either:

1. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or

2. Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute.

C. Termination

1. If the FHWA determines that it cannot implement the terms of this MOA, or if the SHPO determines that the MOA is not being properly implemented, the FHWA or the SHPO may propose to the other parties to this MOA that it be terminated.

2. The party proposing to terminate this MOA shall so notify all parties to this MOA explaining the reasons for termination and affording at least sixty (60) days to consult and seek alternatives to termination. The parties shall then consult.

3. Should such consultation fail, the FHWA or the SHPO may terminate the MOA by so notifying all parties.

4. Should this MOA be terminated, the FHWA shall either:

   a. Consult in accordance with 36 CFR § 800.6 to develop a new MOA; or
   b. Request the comments of the Council pursuant to 36 CFR § 800.6.

Execution and implementation of this MOA and its submission to the Council evidences that FHWA has afforded the Council a reasonable opportunity to comment on the Project and that the FHWA has taken into account the effects of the Project on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: James J. Steele Date: 5/12/09
James J. Steele, Division Administrator

MICHIGAN STATE HISTORIC PRESERVATION OFFICER

By: Brian D. Conway Date: 5/5/09
Brian D. Conway, State Historic Preservation Officer

Concur:

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: Date: 5/6/09
Susan Mortel, Director, Bureau of Transportation Planning

Appendix B

Project Mitigation Summary Green Sheet

Project Mitigation Summary "Green Sheet"

May 2009

Record of Decision
For the Selected Alternative

Blue Water Bridge Plaza Study in the City of Port Huron
and Port Huron Township
St. Clair County, Michigan

This project mitigation summary "Green Sheet" contains the project specific mitigation and enhancement measures considered at this time. A list of Community Enhancements that are over and above what is required mitigation for this project is included in Section VI of this Green Sheet. These mitigation items and commitments may be modified during the final design, right-of-way acquisition or construction phases of this project.

Per Executive Directive No. 2007-22, all buildings constructed on the plaza and at the Welcome Center will meet LEED certification (minimum 26 points) for the GSA leased facilities. MDOT will strive to obtain Silver LEED certification.

I. Social and Economic Environment

a. ***Aesthetic and Visual Resources*** - The exact appearance of the Selected Alternative is still conceptual. MDOT has developed the Aesthetic Design Guide (ADG) (see **Section 5.4** of the **FEIS**) which describes and illustrates design intent, specific aesthetic design features and enough design detail to demonstrate the aesthetic commitments to be carried forward during the final design and construction phases of the project.

Mitigation of aesthetic and visual impacts may include some of the more common measures such as:

- Developing and applying corridor standards for selective vegetative clearing and thinning, earthwork, landscaping or other methods of screening

- Incorporating architectural features into the design of retaining walls, security walls, and other structures
- Utilizing directional lighting and creative berm concepts at the plaza, new welcome center, and along highway corridors
- Applying colors and/or textures to help soften the visual appearance of the proposed structures and hard surfaces
- Developing project signing themes that can be implemented to boost tourism opportunities
- Developing specific mitigation measures to reduce any adverse impacts on the visual character on the neighborhood and business adjacent to the expanded plaza
- Developing guidelines for utilizing the appropriate plant species, including where appropriate native species, to develop sustainable landscapes

b. ***Recreation*** - MDOT will coordinate with Port Huron Township regarding the access road for Township Park No. 1 and No. 2. Access to both parks will be maintained during all hours of operation. The Selected Alternative requires a narrow strip of park property (approximately 0.34 acre) along the edge of the property that now borders the interstate off-ramp. FHWA has determined that the potential impacts to Port Huron Township Park No. 1 are *de minimis.* No material or equipment storage on park property will be allowed during construction. Mitigation will include returning excess property to the township park and landscaping the potential drainage easement so that it is an aesthetically pleasing natural area.

The navigation channel in the Black River will be maintained under the I-94/I-69 Bridge to accommodate boaters using the city of Port Huron Riverside Boat Ramp.

c. Relocations - During the design phase, MDOT will further refine the specific property requirements associated with the Selected Alternative along both the corridor and the plaza. As a result there is a possibility that relocations identified within the FEIS may be reduced. For example, if during the design phase it is determined that only a small corner of a property is required, then it is likely not to require relocation. The Selected Alternative requires 125 residential, 30 businesses and 1 community facility. MDOT will determine the availability of comparable, decent, safe and sanitary housing for eligible displaced individuals. Appropriate measures will be taken to ensure that all eligible displaced individuals are advised of the rights and benefits available and course of action open to them. No relocations will occur until it is shown that comparable housing is available. Replacement housing must meet decent, safe, and sanitary requirements in accordance with Federal law. Every effort will be made,

through relocation assistance, to assure property owner rights are upheld in the highest professional means possible.

II. Natural Environment

a. ***Stream Crossing*** - A Construction Staging Plan will be provided to the contractor that will define construction access to the Black River Bridge piers. The Construction Staging Plan will be prepared and reviewed with MDEQ prior to any Act 451, Part 31 (Floodplains) and Part 301 (Inland Lakes and Streams) permit application. Coordination regarding the Construction Staging Plan will also occur with the U.S. Army Corps of Engineers and U.S. Coast Guard prior to the submittal of federal permit applications. The plan will include soil erosion/sedimentation controls including dewatering operations, temporary causeway/access pad design, installation/removal phasing, and stream navigation requirements (signing and lighting). No work will be done in the Black River or Stocks Creek between March 15th and June 30th to provide protection for fish spawning. Work may be done behind an enclosed cofferdam installed prior to the start of the protection dates. Coordination with the MDNR Fisheries Division will occur during the design phase to determine project drainage in the vicinity of the Black River and Stocks Creek.

b. ***Wetlands*** - The Selected Alternative will impact 3.24 acres of palustrine emergent wetland and 1.12 acres of palustrine forested wetland. Using the 2 to 1 mitigation ratio for forested and 1.5 to 1 ratio for emergent, scrub-shrub, and open water wetlands the Selected Alternative will require a total of approximately 7.1 acres of wetland mitigation. The wetland mitigation site is proposed to be located on MDOT owned property north of the welcome center. No public access will be permitted from the welcome center or West Water Street to the mitigated wetland site. Once the mitigated wetland is constructed the site will be protected by a permanent conservation easement to provide for the permanent protection of the natural resource functions and values of the mitigation site

c. ***Floodplains*** - The Selected Alternative will require fill within the 100-year floodplain of the Black River. The Selected Alternative will require approximately 625 cubic yards of fill. The MDEQ requires compensatory storage if more than 300 cubic yards of fill material is placed in the 100-year floodplain.

To ensure that all environmental and hydraulic impacts associated with the floodplain crossings of the Selected Alternative are minimized, further evaluation of crossing options will be conducted during the design phase. This will include an examination of bridge spans and approaches, median widths, and side slopes. The analysis will consider existing and proposed conditions,

and will determine the necessary and proper bridge types, openings, lengths, and locations of abutments and piers, to minimize or eliminate floodplain impacts.

d. ***Water Quality*** - Roadway run-off will be treated by maximizing the use of vegetated buffers (300 foot minimum) for drainage conveyance and minimizing the direct discharge of bridge run-off. Disturbed sanitary sewer lines will be restored to pre-construction condition. Any disturbed groundwater wells will be properly abandoned.

Stormwater concepts have been developed that discharge the proposed plaza stormwater to the existing city system. An oil separator system will be used to provide pollutant removal (oil and solids) from stormwater.

e. ***Threatened and Endangered Species*** - No work will occur in wetland areas adjacent to Stock's Creek between mid-October and the end of March in order to protect potential winter hibernating habitat for the spotted turtle. During construction, thorough searches will be conducted for the turtle within the work area as they nest in mid-June. Any turtles found will be relocated to an appropriate safe area.

III. Cultural Environment

a. ***Historic Resource*** - The E.C. Williams House will be directly affected by the Selected Alternative, and as a result MDOT will relocate the E.C. Williams House. The proposed relocation area of the E.C. Williams House is an MDOT owned parcel located on Elmwood Street in Port Huron. MDOT has proposed relocating the house from its historic location as a way to preserve the structure. SHPO has concurred that relocating the house would be preferred over demolition. Mitigation requirements for documentation and other measures can be found in the Memorandum of Agreement (MOA) found in Appendix B of this FEIS.

IV. Hazardous/Contaminated Materials

a. ***Project Contamination*** - A Project Area Contamination Survey (PACS) was performed for this project. Further investigation of contaminated sites and hazardous materials in the Study Area will be necessary to ensure the safety of workers during construction, prevent any future migration of existing subsurface contaminants, and address potential liability associated with the purchase of those parcels.

Any structures removed for the project will be assessed for asbestos-containing

materials and lead-containing materials before demolition. A Worker Health and Safety Plan will be prepared if any of these materials are identified.

MDOT will also coordinate with the MDEQ Water Bureau and the Waste and Hazardous Materials Division when limits of excavation or disturbance of bottom sediments is determined in areas of known river, stream, or lake bottom sediment contamination. Coordination could include testing of bottom sediments within the project area, reviewing results with the Water Bureau to determine if any contamination exists, and reviewing results with the Waste and Hazardous Materials Division to determine if any special disposal methods will be required.

V. Construction

a. ***Maintaining Traffic*** - A Motorist Information Plan (website and temporary electronic message signs) will be developed and implemented during construction to identify lane closures and alternate routes. Coordination with local officials will occur to facilitate emergency service and school bus routes. Access to residences and businesses within the project area will be maintained during construction.

b. ***Visual Impacts from Construction Activities*** – To the greatest extent possible MDOT will require that any construction staging area that abuts a residential neighborhood or active commercial businesses be fenced so that views to the interior of the site are screened.

c. ***Construction Vibration*** - Where pavement must be fractured, structures removed, or foundation piles driven, care will be taken to prevent vibration damage to adjacent structures. Contingent upon property owner approval, MDOT in consultation with the selected construction contractor will make an assessment as to which structures will have basement surveys completed. MDOT will determine during the design phase which structures will be offered basement/foundation surveys. Monitoring will occur before, during and after the construction phase. Vibration impacts are not expected at this time.

d. ***Recycling*** - Recycling programs will be used if they are provided by the community, and do not compromise maintenance or security

VI. Enhancements

Much like mitigation, project enhancements seek to reduce the short and long-term impacts of a project on the host community(ies). While mitigation measures are usually defined by legislative statue or interagency agreements,

enhancements are those items that get added to a project that are over and above and beyond the mitigation required by law. Enhancement elements are often developed as a response to community input. Enhancements may or not be funded by the Federal Transportation Enhancement Program.

a. ***Air Quality*** - MDOT will work with contractors on an operational agreement to control air pollution during construction. A construction emissions plan may include actions such as: retrofitting off-road construction equipment; limiting the age of off-road vehicles used in construction projects; minimizing engine operations; restricting construction activities around certain more-sensitive receptors, such as the residential areas; using diesel particulate traps and oxidation catalysts; and, using existing power sources or clean fuel generators, rather than temporary power generators. The contractors will institute fugitive dust control plans per MDOT Standard Construction Specifications under Section 107.15A and 107.19.

MDOT will work with SEMCOG, MDEQ, and the private sector and the community to create an action plan that includes short term and long term objectives aimed at reducing fugitive dust, diesel truck idling, fuel consumption, or diesel emissions to limit $PM_{2.5}$ emissions in the area within one mile of the plaza. The action plan will identify priorities for future federal aid eligible transportation projects through programs such as Congestion Mitigation and Air Quality (CMAQ) and the Midwest Clean Diesel Initiative. These activities will be implemented during design and construction phases and sustained through the maintenance and operations of the facilities. Activities could also include outreach efforts to inform commercial operations and residents of air pollution control strategies. The actual projects will be generated from the community and its partners who will develop project proposals to implement these strategies.

b. ***Local Circulation and Access*** - The Michigan Department of Transportation has incorporated several enhancements into the design of the Selected Alternative which improve local circulation and access to the Port Huron community. These enhancements were developed as part of continued coordination efforts with the city of Port Huron, Port Huron Township, and St. Clair County. The following section describes the proposed enhancements that MDOT commits to adding to the project:

Full Access Lapeer Connector Interchange: MDOT will reconstruct the existing partial I-94/I-69/Lapeer Connector interchange to provide full access from all directions of I- 94/69. Currently no eastbound I-94/I-69 to southbound Lapeer Connector movement or northbound Lapeer connector to westbound I-94/I-69 access is provided. MDOT as part of the Selected Alternative will acquire the necessary right-of-way and construct the necessary infrastructure to provide

these missing movements. These improvements will improve access for emergency responders as well enhance economic development opportunities. The estimated cost of this project enhancement is $4,400,000.

Realignment of relocated Pine Grove Avenue north of Hancock Street: MDOT's original alignment for the realignment of Pine Grove Avenue continued north on the existing M-25 connector alignment. In consultation with the city of Port Huron and Port Huron Business Coalition, the alignment was modified to connect back into existing Pine Grove Avenue just north of Hancock Street. This modification will provide improved access and visibility to existing business located north of the plaza. The estimated cost associated with additional right-of-way and construction materials to make this project enhancement is $2,800,000.

M-25/Pine Grove Avenue Traffic Signal Synchronization Study: MDOT completed a traffic signal optimization study for M-25/Pine Grove Avenue in February 2006. This study identified signal timing changes to improve the flow of traffic on this important north/south corridor within the Port Huron community. Following completion of the plaza project, MDOT commits to completing a similar follow-up study to determine if signal timing changes need to be made along M-25. MDOT estimates the cost of this study and necessary implementation measures at $150,000.

Fund the Development and Installation of a Local Wayfinding Program: Working with the city of Port Huron, MDOT will fund the development and installation of a local wayfinding program designed to increase access and awareness of key local tourism destinations. MDOT will work with city staff to design appropriate signage and make the necessary installations to assure visitors can find their way from the expanded plaza facility to key local destinations as well as key transportation corridors (i.e., M-25, I-94/69,). All sign installation will occur once the plaza has been completed. MDOT estimates the cost of this program to be $100,000.

c. *Non-motorized Circulation* - The Michigan Department of Transportation has incorporated several enhancements into the design of the Selected Alternative which improve non-motorized access and circulation between the city of Port Huron and Port Huron Township, and connectivity with other existing non-motorized systems. These enhancements were developed as part of continued coordination efforts with the city of Port Huron, Port Huron Township, and St. Clair County. The following section describes the proposed non-motorized enhancements that MDOT commits to adding to the project.

Non-Motorized Crossing of the Black River: MDOT will construct a 14' non-

motorized crossing on the south side of the newly expanded I-94/I-69 Black River Bridge. This will be a multi-directional facility and will be designed to accommodate both pedestrians and bicyclists. The path will connect with the existing non-motorized facilities along Water Street and the newly constructed non-motorized facilities along relocated Pine Grove Avenue. The estimated cost of this project enhancement is $3,000,000.

Sidewalk Connection from 10th Avenue to the St. Clair Parkway: MDOT will support the submittal of a local enhancement application to fund a new sidewalk connection from 10th Avenue to the St. Clair Parkway system (under/near the existing Blue Water Bridge). The estimated cost of this project is $500,000.

d. *Economic Development* - The Michigan Department of Transportation has incorporated several enhancements into the project that are designed to improve economic and community redevelopment opportunities within greater Port Huron. The following section describes the proposed economic and community development enhancements that MDOT commits to adding to the project.

Economic Development Plan: MDOT will fund the development of an Economic Development Plan. This strategic plan would build upon existing strategic advantages, international trade opportunities, and the community's extensive transportation assets that can contribute to a stronger more vibrant economy for the future. The economy of Port Huron and St. Clair County is changing; globalization and new technologies continue to accelerate the rate of that change. With an Economic Development Plan in place, St. Clair County and Port Huron will be better positioned to build on the competitiveness of this region creating a stronger and more prosperous economy by working to achieve common goals and action strategies.

This county-wide economic development strategy will consider the economic conditions of the region, capture the essential elements of any earlier economic development plans for the community, and identify strategies and specific actions of importance to the region's economy. The goal is to improve the economic prosperity of the region, to define a plan that builds on the region's strengths including the transportation network, the proximity to international markets, the workforce, and other factors that make this area an exceptional place to live and work. The plan will also identify areas of concern that should be considered going forward and the goals and actions that the community should collectively pursue. The St. Clair County Economic Development Alliance will serve as the local coordinating agency for this effort. The estimated cost of this plan is $220,000.

Fund Economic Development Experts and Services: MDOT commits to fund up to $1 million for economic development services to fund the implementation of the aforementioned plan. An agreement will be developed with an appropriate local agency that will be responsible for using these funds to implement key strategies that are developed as part of the economic development plan. The estimated cost of this project enhancement is $1,000,000.

Fund a local visitor center addition: In collaboration with the Greater Port Huron Chamber of Commerce, MDOT will fund an addition to the Chamber's office for the purpose of housing a local visitor center. This facility will be used to disseminate local tourism information and promote the tourism and economic development opportunities which exist within the Port Huron community. MDOT commits up to $300,000 to be used to help defray construction costs associated with the facility which could house such uses as retail space for limited Blue Water merchandise, a community kiosk used for virtual community tours, and limited conference space for international business meeting and training opportunities. The estimated cost of this project enhancement is $300,000.

Continue Coordination with Community Assistance Team: MDOT commits to continue coordination efforts with other state and federal agencies to bring additional resources to the greater Port Huron community. Such examples include coordinating with the Michigan Economic Development Corporation, the Michigan State Housing Development Authority, the Michigan Department of Labor and Economic Growth for job training opportunities and the Michigan Department of Environmental Quality to determine if any of these agency's existing programs, grants, or resources can be applied to future redevelopment opportunities.

e. *Land Use and Zoning* - MDOT has incorporated the following enhancement in order to minimize the impacts and costs on the city of Port Huron associated with pursuing innovative redevelopment strategies for the area surrounding the plaza. The following section describes the proposed land use and zoning services which MDOT commits to adding to the project.

Model Master Plan/Zoning Ordinance Updates: As there will likely be some area surrounding the expanded plaza that will be deemed excess property, MDOT will fund the development of a model ordinance and Master plan update for the area immediately adjacent to the expanded plaza. Redevelopment in established urban areas such as the area around the existing plaza can be difficult. This analysis will assess whether the city's existing Master Plan and Zoning Ordinance need to be modified to support infill and redevelopment

opportunities and increase economic competitiveness for the city of Port Huron. Innovative redevelopment tools such as creating a unique overlay or corridor zones around the expanded plaza area could also be examined. MDOT will provide funding to prepare the assessment and the model Master Plan and Zoning Ordinance updates. The city of Port Huron will be responsible for implementing any of the recommendations that are developed from this effort. The estimated cost of this effort is $50,000.

f. *Emergency Services* - MDOT has incorporated the following enhancement into the project designed to assure emergency services required on the plaza do not place an unfair burden on local emergency response providers.

Payment for Emergency Response Services: MDOT currently provides an annual payment to the city of Port Huron of $200,000 for emergency response services on the plaza. MDOT also pays Port Huron Township $5,400 annually as a secondary emergency responder on the plaza.

In order to address the possibility of increased risk associated with future traffic increases coming across the expanded plaza, MDOT commits to annually reimburse the city of Port Huron $300,000 for emergency services provided on the expanded plaza (assuming the city remains the primary first responder). MDOT will index this payment to the Consumer Price Index (C.P.I.) or a similar index for a period of 10 years to account for inflationary factors. MDOT also will commit to annually reimburse Port Huron Township $8,500 for emergency services provided on the expanded plaza as a secondary emergency responder (assuming the Township remains the secondary emergency responder). An agreement will be developed between each of these agencies and the agreement shall be reanalyzed every five years to address future discrepancies or changes between service calls and emergency service payments. The estimated cost of this annual payment is $308,500.